

## KENTUCKY

Edmund T. Davern, Kenvir.  
Everett E. Davis, Louellen.  
E. Paul Counts, Olive Hill.

## MARYLAND

William G. Smyth, Chestertown.  
Louis J. DeAlba, Glenburnie.  
Robert G. Merryman, Monkton.

## MISSOURI

Clara Harlin, Gainesville.  
Charles W. Lowry, Normandy.

## NEBRASKA

Laurence N. Merwin, Beaver City.  
Clarrissa Bilyeu, Big Spring.  
Marcus H. Carman, Cook.  
Joe G. Crews, Culbertson.  
Charles H. Fueston, Dakota City.  
William C. Coupland, Elgin.  
Lucy L. Mendenhall, Elk Creek.  
Charles E. Cook, Franklin.  
James J. Green, Moorefield.  
Herbert L. Wichman, Norfolk.  
George A. Ayer, Oxford.  
Olaf H. Larson, Shickley.  
Lulu C. Brown, Stockville.  
Franz J. Riesland, Wood River.

## NEW YORK

John A. Crager, Hagaman.  
Hazel I. VanNamee, Richville.

## OHIO

Calvin M. Crabtree, jr., Convoy.  
Charles F. Shoemaker, Pickerington.  
Clarence S. Frazer, Xenia.

## OREGON

Earl B. Watt, Falls City.  
Jay W. Moore, Harrisburg.  
William R. Anderson, Milton.  
Clarence C. Presley, Newport.

## PENNSYLVANIA

Anna R. Parker, Kulpmont.  
David L. Bly, Watsontown.

## WASHINGTON

Albert Maurer, Kelso.  
Pearl B. Burrill, Snoqualmie Falls.

## WISCONSIN

Alfred H. Krog, Darlington.  
George L. Harrington, Elkhorn.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, January 9, 1929

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. TILSON.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We thank Thee, our Father in Heaven, for the enfolding ministries of Thy providence. We praise Thee that through repentance and divine love we have access to the Father, who pardons and restores all who are of a humble heart. Restrain the discordant notes of unrest and defiance to law and authority. Subdue the unwise critics of the Republic, and in every way help us to preserve our national inheritance and traditions, which have made us respected and honored throughout the world. Bring into bonds of unity all our citizens, and let them enjoy a righteous freedom from every form of repression and oppression. Give the blessings of courage, confidence, and good cheer to all sick and sorry hearts. Bless us this day, and may we not fear to-morrow. Amen.

The Journal of the proceedings of yesterday was read and approved.

## PERMISSION TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House on Friday, after the reading of the Journal and the disposition of matters on the Speaker's table, for 30

minutes on some phases of the activities of the Treasury Department.

Mr. CLARKE. Reserving the right to object, what is to be the subject of the address?

Mr. CELLER. The subject of the address will be certain activities of the Treasury Department, particularly as they refer to treaties concerning liquor.

Mr. SNELL. Mr. Speaker, reserving the right to object, while I do not know of any objection, I would not want this to get in ahead of the completion of the Army bill. If the Army bill is completed at that time, I would have no objection.

Mr. CELLER. I have not often made requests of this sort and I would appreciate having this one granted.

Mr. SNELL. If the gentleman will modify his request and ask the permission following the completion of the Army bill on Friday—

Mr. CELLER. I understood we were to have the Army bill under consideration on Saturday also.

Mr. SNELL. We hope to complete its consideration by Friday. If the gentleman will modify his request and ask for the time after the completion of the Army bill on Friday, I shall not object.

Mr. CELLER. I agree to that. The request is changed, Mr. Speaker, at the suggestion of the gentleman from New York, and I ask for this time after the completion of the Army appropriation bill.

The SPEAKER pro tempore. Is there objection to the modified request of the gentleman from New York?

There was no objection.

## IMPROVEMENT OF THE GREAT KANAWHA RIVER

Mr. ENGLAND. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. ENGLAND. Mr. Speaker and Members of the House, a river and harbor improvement bill is now pending on the House Calendar. This bill was favorably recommended by the Committee on Rivers and Harbors at the first session of the Seventieth Congress. Both of our great political parties are pledged to river and harbor improvement. This pledge should be kept and the improvement rushed to completion as rapidly as is consistent with economy. Any delay in this highly important legislation is wholly unjustified. Millions of dollars have been expended in the improvement of the Mississippi and Ohio Rivers. The improvement of the Ohio River is practically complete. An increase in tonnage is needed for shipment over these two great waterways in order to justify the large sums of money expended in these improvements.

The improvement of the Great Kanawha River which flows through the district I have the honor to represent will furnish more tonnage than any other river which empties into either the Mississippi or Ohio Rivers.

The Great Kanawha Valley and surrounding territory has the greatest deposit of smokeless coal in the world, all of which may be shipped over the Great Kanawha River as soon as the river is improved so as to afford adequate transportation facilities.

I assert without fear of contradiction that the Great Kanawha River affords the greatest possibilities in the shipment of tonnage than any river in the country. In addition to the unlimited quantity of coal, estimated by competent engineers to be 18,000,000,000 tons within sufficient proximity to be marketed by shipment on the Great Kanawha River, there are numerous factories in this great industrial center. Clay, brick, iron, steel, chemicals, glass, bottles; in fact, everything nearly that can be manufactured is manufactured in this valley. The coal business is as near on the rocks of ruin as any other industry in existence. Relief should be had before it is too late. The improvement of the Great Kanawha River will perhaps afford greater relief to our coal business than anything else which might be done.

Numerous civic organizations and coal operators' associations have sent me messages urging the immediate passage of the river improvement bill.

These organizations are: St. Albans Business Men's Association, the Rotary Club of Montgomery, the Beckley Chamber of Commerce, the Beckley Kiwanis Club, the Beckley Rotary Club, the Winding Gulf Coal Operators Association, the Charleston Chamber of Commerce, the Great Kanawha Valley Improvement Association, Oak Hill Chamber of Commerce, and the Montgomery Chamber of Commerce.

Permit me to say that the improvement of the Great Kanawha River, in proportion to the amount necessary to expend

for proper transportation purposes, means more in the development and prosperity of the country than any other river within its borders.

Let us do our duty and pass this bill during this session of Congress, and thereby afford the coal business, farmers, and other industries relief without any further delay.

Mr. McDUFFIE. Will the gentleman yield?

Mr. ENGLAND. Yes.

Mr. McDUFFIE. Does the gentleman know the attitude of the leadership on his side of the aisle as to the passage of this bill?

Mr. ENGLAND. I do not. At the present time I do not know that there is any specially defined attitude. So far as I know, there is none.

Mr. McDUFFIE. Does not the gentleman realize that unless we do something in this Congress it will probably be more than 12 months before we can consider river and harbor legislation?

Mr. ENGLAND. That is exactly the reason I am urging immediate action at this particular time.

Mr. McDUFFIE. Has the gentleman any hope that the leadership on the majority side will help us to get this bill up and pass it?

Mr. ENGLAND. I certainly hope they will. I do not know that the leadership has any views as to what action may be taken or what they are going to do.

Mr. McDUFFIE. It rests absolutely with them. All they have got to do is to say so, and the matter will be taken up.

Mr. ENGLAND. I do not know as to that.

Mr. KNUTSON. In fairness to the gentleman, if the gentleman has any information as to the attitude of the leaders on this side, I think he should give it to the House so that we may know what it is. I have not heard any expression myself.

Mr. ENGLAND. I have heard no expression as to the purpose or decision of the leadership.

Mr. McDUFFIE. That is exactly what is troubling us now—we have heard no such expression, and we want some expression from them.

Mr. HOWARD of Oklahoma. Will the gentleman yield?

Mr. ENGLAND. Yes.

Mr. HOWARD of Oklahoma. The gentleman asked consent to put in his remarks an editorial of a certain publication. How long is that?

Mr. ENGLAND. It is not very long.

Mr. HOWARD of Oklahoma. I want to inquire why the gentleman from Massachusetts, who has become head waiter and sanitary inspector for this House recently, does not object to your requests, when he turns on the Democrats in the House?

Mr. UNDERHILL. The gentleman has not given me a chance yet.

Mr. HOWARD of Oklahoma. And the gentleman was not going to, either.

Mr. UNDERHILL. He was, too.

The SPEAKER pro tempore. The time of the gentleman from West Virginia has expired.

Mr. ENGLAND. Mr. Speaker, I ask unanimous consent to proceed for one minute more.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ENGLAND. It is well known what the coal industry means to our national life and prosperity to the entire country. This being an indisputed fact, Congress should act promptly in the passage of legislation to revive this industry, which is now practically prostrate.

The speedy improvement of the Great Kanawha River is one means of affording a measure of relief to the coal business in our section, and for that reason, among many others, legislation for the improvement of river transportation facilities should not be delayed. Such improvements will afford cheaper transportation and broader markets for our coal products. [Applause.]

#### REUNION OF THE BLUE AND THE GRAY

Mr. HOWARD of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for five minutes now.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

Mr. CLARKE. Reserving the right to object, is this in order or out of order?

Mr. HOWARD of Nebraska. I do not know. [Laughter.]

The SPEAKER pro tempore. Is there objection to the request?

There was no objection.

Mr. HOWARD of Nebraska. Mr. Speaker, I ask that the Clerk read in my time the following bill which I have introduced.

The Clerk read as follows:

[H. R. 14461, 70th Cong., 1st sess.]

A bill (H. R. 14461) to provide for a joint reunion of the surviving veterans of both sides of the war of 1861 to 1865, in the city of Washington, in the year 1929; to authorize the appropriation of sufficient money from the United States Treasury to pay the expenses of such joint reunion; and to provide for a commission to carry into effect the provisions of the act

*Be it enacted, etc.,* That it is deemed appropriate that a joint reunion of both sides of the few surviving veterans of the war of 1861 to 1865 be held in the city of Washington in the year 1929, in order that opportunity be given to the American people to express their affection for said veterans; and that the expenses of such joint reunion be borne by the United States Government.

Sec. 2. That for the purpose of carrying into effect the provisions of this act there is hereby authorized to be appropriated out of moneys in the United States Treasury a sum or sums of money sufficient to pay all expenses of said joint reunion.

Sec. 3. That for the further purpose of carrying into effect the objects of this act and arranging for said joint reunion there is hereby created a commission, to consist of the following persons, to wit: The General of the United States Army, the commander of the Spanish-American War Veterans, the commander of American Legion, the commander of Veterans of Foreign Wars, and such other persons as the President of the United States may appoint.

Sec. 4. Full power is hereby granted to said commission to arrange for and carry into effect said joint reunion.

Mr. HOWARD of Nebraska. Mr. Speaker, I have asked and graciously received permission to speak for five minutes for the sole purpose of calling the attention of the House to this Christian good-will offering providing for a joint reunion of the survivors of the armies of the blue and the gray in Washington during the present year.

When I first presented the bill it provided that the commission should be composed of the General of the United States Army, governors of the several States, and such other persons as the President of the United States might be pleased to appoint. I have thought now that it would be better to have the commission composed of the General of the United States Army, the commanding officers of the Spanish War Veterans, the American Legion, and the Veterans of Foreign Wars, having the thought in mind that it would be beautiful if these men of the younger organizations could stand in a sense as hosts of the veterans of the great Civil War.

Now, Mr. Speaker and gentlemen, my particular purpose is to remind Members of the House that to-morrow morning the hearing on this bill will be held before the House Committee on the Judiciary, and I would like to ask those who are in accord with the Christian good-will spirit of this bill to appear before the committee and plead for favorable action.

A few mornings ago the House was honored by the presence of the commander in chief of the Grand Army of the Republic, who sat in the gallery, and this House did pay honor to his presence. He was in Washington for the express purpose of pleading for the passage of this legislation. He was called to another State yesterday and may not get back in time for the hearing, but his heart and soul are in favor of it, and I earnestly hope that all of those Members of the House—and particularly all you who are ex-service men—who favor this movement in behalf of brushing away the last vestige of bitterness between two sections of our country once at war but now fully united may appear before the committee and ask for early action on the bill.

Mr. DYER. Will the gentleman yield?

Mr. HOWARD of Nebraska. I will.

Mr. DYER. Has the gentleman inquired of the veterans of the gray whether they are in accord with the proposed reunion?

Mr. HOWARD of Nebraska. I will say that I have received some 4,000 letters from survivors of the two armies. Out of all these I have received but four antagonistic to the movement. One of them came from Maine, 1 from Massachusetts, 1 from Maryland, and 1 from Virginia. Two of the objectors said that they did not want to march down Pennsylvania Avenue with the "damned Yankees." [Laughter.] The other two said they did not want to march with the "damned rebels." All the other 4,000 applauded the purpose of the bill. [Applause.]

#### MICHIGAN CRIMINAL CODE

Mr. HUDSON. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.



The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to address the House for 10 minutes. Is there objection?

There was no objection.

Mr. HUDSON. Mr. Speaker, the Criminal Code of Michigan has raised a great deal of talk in the last two weeks throughout the Nation because of the celebrated case against Etta Miller. I would like to have read in my time an editorial from the Detroit Free Press, of January 8, which I send to the desk.

The Clerk read as follows:

[From the Detroit Free Press, Tuesday, January 8, 1929]

#### NEEDLESS TEARS

There seems to be no end to the tears the professional sob squadders feel they must shed over Mrs. Etta Miller, now serving a life term in the Detroit House of Correction because she insisted upon repeatedly defying the liquor laws of the State. Actually there is no reason to weep over the woman's situation, as far as her treatment by the agencies of the law is concerned. Mrs. Miller has borne 10 children, it is true—so have many other women who have not found it necessary to run blind pigs—but only 4 of the 10 survive, and 3 of those are married and the other is being supported by the State; so the theory that she was driven to illegal practices in order to support a family rather falls by the wayside.

And although Mrs. Miller has been convicted only four times, she has been in trouble with the law a large number of times, if apparently reliable reports are accurate; and when last apprehended, she had a 12-year-old girl in her place serving drinks to customers. Mrs. Miller is a confirmed and obstinate lawbreaker. She was a menace to the community where she lived, and the thing to do was to place her where she could cause no more trouble.

Those who for propagandist reasons, which have nothing whatever to do with love of justice or the public good, are trying to make a heroine and a martyr out of an aged purveyor of rotten booze, do not worry much over the harm the woman has been doing. They are not concerned about the injury to persons she has sold her wares to. And in that connection it is pertinent to notice that some of those who mourn assiduously over the woman's troubles are persons or publications who also make a specialty of crying over the hard fate of assassins while forgetting about those they have murdered.

The Detroit Times said in a recent editorial: "Grandma Miller made the mistake of violating the eighteenth amendment in a dry community. She also made the mistake of being poor." And with this as a premise the publication proceeded to an utterance that was close to an inferential incitement to lawbreaking and meant nothing at all, if it did not mean that in the opinion of the newspaper Mrs. Miller and others like her have a perfect right to defy the statutes and practice bootlegging if they are able to get away with it, and ought not to be punished if they are caught.

We are inclined to the belief that the Michigan Criminal Code, though a most excellent legal instrument as it stands, is perhaps a little severe in dealing with fourth offenders who have done nothing except violate the liquor laws in a relatively small way, and that perhaps a term of years, something less than life, would be a sufficient punishment for chronic wrongdoers of that sort. But the hardship, if any exists, is not very great, because nobody is obliged to break the law; and the overseverity certainly is not so serious an evil as that created by reckless persons or publications who incite individuals to break the law of the land and undertake to glorify and make heroes of those who suffer penalties for doing so. An apology for crime which tends to incite crime is as real an offense against society as is the commission of crime itself.

Mr. HUDSON. Mr. Speaker, I hold in my hand the record of the Social Service Bureau of the city of Lansing, beginning with the files that are now in existence after the fire of 1920, and about every three months from 1921 on, this record shows that this family has been in police trouble for harboring immoral people, for leading immoral lives themselves, and being constantly arrested for bootlegging and intoxication, both on the part of the father and the members of the family. The woman in question has four children by her first husband, and three by the last. The stepson of the first husband has been arrested a number of times as a bootlegger and has served time. The oldest daughter lived for over a year immorally with a man that the community afterward forced her to marry. The woman has been arrested for immoral practices. The second daughter is in the industrial reform school for girls, and the last child is committed to another State institution. I shall read now into the Record this woman's record of crime.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. HUDSON. Not now. This is the police record of Mrs. Miller:

September 24, 1924: Illegal possession of liquor, served 60 days in the county jail at Mason.

October 10, 1924: Illegal furnishing of liquor, charge dismissed.

January 24, 1925: Illegal possession of liquor, no disposition of the case listed.

October 10, 1925: Illegal furnishing of liquor, six months to a year at the Detroit House of Correction.

March 10, 1927: Illegal furnishing of liquor, six months to a year in the house of correction.

March 19, 1927: Illegal possession of liquor. Pleaded guilty; no disposition.

May 24, 1927: Illegal furnishing of liquor. Pleaded not guilty; no disposition of case recorded.

October 4, 1928: Illegal possession of liquor.

Then in December came the conviction that culminated in the fourth felony offense for which the judge had no recourse except to send her under the criminal law of Michigan to prison for life. The Supreme Court has upheld that. My contention is that if we are going to waste our tears and sobs over somebody who has been hurt by the law, then we should take some one who is worthy of it and not a character of this kind.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. HUDSON. I yield back whatever time I have.

Mr. SCHAFER. Mr. Speaker, I ask unanimous consent to proceed for two minutes out of order.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. SCHAFER. Mr. Speaker, I do not for one moment attempt to defend this notorious Michigan bootlegger who has been sentenced to life imprisonment. I notice that the preceding speaker, the gentleman from Michigan [Mr. HUDSON], has read into the Record a statement of convictions and moral lapses on the part of certain members of the woman's family. It may be well if those who read his presentation and who have heard it keep in their minds that the daughter of the family who is charged with having had moral lapses may have been emulating that notorious gentleman from New York who contributed \$500,000 to the Anti-Saloon League and who, it was found, had been maintaining a love nest in the great State of New York.

#### EXTENSION OF REMARKS

Mr. ENGLAND. Mr. Speaker, I ask unanimous consent that the remarks I made a few moments ago may be extended in the Record.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent to extend his remarks in the Record which he made a few minutes ago. Is there objection?

Mr. UNDERHILL. I have no objection if they are his own remarks, Mr. Speaker.

Mr. HOWARD of Oklahoma. Mr. Speaker, when the gentleman from West Virginia was speaking a few moments ago I asked the question as to why an objection had not been made to his including an editorial in his remarks. The gentleman from Massachusetts said that he intended to. I want to know if he did. I do not intend to object, but I want to know whether the gentleman from Massachusetts objects.

Mr. UNDERHILL. Mr. Speaker, I am on my feet to object to extraneous matter going into the Record.

Mr. HOWARD of Oklahoma. I want to know whether the gentleman did object.

The SPEAKER pro tempore. The gentleman from West Virginia asked unanimous consent to extend his remarks in the Record and the gentleman from Massachusetts has objected to any remarks other than his own remarks.

Mr. ENGLAND. Mr. Speaker, I hope the gentleman from Massachusetts will withdraw that for this reason: The editorial referred to is not long and it deals with the effect that coal has upon our industries generally. I felt it was better expressed in this short editorial than I could express it in my own words. For that reason I would like to have it incorporated as a part of my remarks. The other matter consists of telegrams from various civil organizations down there. None of those telegrams is very long. They are regarding the improvement of this great river. For that reason I hope the gentleman will withdraw his objection.

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, these are matters to which I have conscientiously and consistently objected. The gentleman has presented his case in a convincing manner, and so far as these telegrams and editorials are concerned, there is a place in the basket for them, and they will take their usual course and be entered into the Record as having been received by this House. There is no necessity of publishing them as a part of the gentleman's remarks, and I object.

The SPEAKER pro tempore. Objection is heard.

## ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, with the permission of the House I rise to make an announcement. Several Members have asked me when we intended to call up the rules that are on the calendar. It is expected that the rule for the reappointment bill will be called up immediately after the disposition of business on the Speaker's table to-morrow, and that right after the disposition of the War Department appropriation bill, after the time allotted to the gentleman from New York [Mr. Celler], we intend to call up the bill changing the jurisdiction of the Judiciary Committee of the House and also the one that the gentleman from Iowa [Mr. Ramseyer] introduced relative to the printing of amendments to the bill.

## WAR DEPARTMENT APPROPRIATIONS

Mr. BARBOUR. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15712) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the War Department appropriation bill, with Mr. SNELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15712, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15712) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Army transportation: For transportation of the Army and its supplies, including retired enlisted men when ordered to active duty; of authorized baggage, including that of retired officers, warrant officers, and enlisted men when ordered to active duty and upon relief therefrom, and including packing and crating; of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; of necessary agents and other employees, including their traveling expenses; of dependents of officers and enlisted men as provided by law; of discharged prisoners, and persons discharged from St. Elizabeths Hospital after transfer thereto from the military service, to their homes (or elsewhere as they may elect): *Provided*, That the cost in each case shall not be greater than to the place of last enlistment; of horse equipment; and of funds for the Army; for the purchase or construction, not exceeding \$200,000, alteration, operation, and repair of boats and other vessels; for wharfage, tolls, and ferriages; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for purchase and hire of draft and pack animals, including replacement of unserviceable animals; for travel allowances to officers and enlisted men on discharge; to officers of National Guard on discharge from Federal service as prescribed in the act of March 2, 1901 (U. S. C. p. 197, sec. 751); to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory act of September 22, 1922 (U. S. C. p. 197, sec. 752); and to members of the National Guard who have been mustered into Federal service and discharged on account of physical disability; in all, \$16,802,731, of which amount not exceeding \$2,000,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1930.

Mr. TREADWAY. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. TREADWAY. For the purpose of moving to strike out the last word and asking unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes out of order. Is there objection? [After a pause.] The Chair hears none.

Mr. TREADWAY. Mr. Chairman, for some time past there has been a great deal of interest shown in relation to contracts made for various supplies made by the different departments of the Government. There were some hearings last spring before the Committee on Interstate and Foreign Commerce on a resolution known as the Wood resolution, and as a result of those hearings I think some slight changes were made in the phraseology of the language having to do with Government contracts.

About a week ago the gentleman from Michigan [Mr. Cramton] introduced and had printed in the RECORD a lengthy bill relative to methods of Government purchases, particularly calling attention, as I read the bill, to a change in method whereby to a certain extent Government contracts were to be handled through General Lord's office, and in that way perhaps have more or less uniformity. Now, the clause of the bill of the gentleman from Michigan to which I called attention the day that he had permission to reprint the bill in the RECORD is section 16, and if I may be permitted I would like to read section 16 as amended by the proposed bill of Mr. Cramton. It reads as follows:

SEC. 16. Domestic materials: In the making of contracts to be performed in the United States, its Territories, and possessions preference shall be given to articles or materials of domestic production, conditions of quality and price, including duty, being equal. The term "articles or materials of domestic production" means articles or materials manufactured or assembled in the United States, its Territories, or possessions.

That does not change in any material way the present law. The law provides for a preference for domestic manufactured articles, other things being equal, including price and quality. On April 30 last I introduced a bill which was referred to the Committee on Interstate and Foreign Commerce, whereas the bill containing the language I have just read is before the Committee on the Judiciary. There is, therefore, some conflict of jurisdiction in that the subject is being considered by two different committees of the House. My bill goes further than either the Wood resolution or the paragraph I have read from Mr. Cramton's bill. I believe we should do more for our home industries than simply to give them an equal break with foreign production. [Applause.] I believe we should give a preference of at least 10 per cent to American and domestic production rather than simply to say in the law that, other things being equal, our officials should select American-made goods. The point as I see it is this: We are paying out the money of the American taxpayers to the American manufacturer employing American labor. As their scale of wages is greatly in excess of the wages of our competitor nations, why should not we give our home production a preference in the form of a differential? That is the purpose of the bill I have before the Interstate and Foreign Commerce Committee. Why should they not have a 10 per cent preferential over the foreign competitor for our Government contracts?

I think such an idea as this is both right and proper, because we all know how great the difference is in the cost of production here and abroad. In private business this competition must be met by our producers, but when it comes to the production of goods for Government use I maintain that the American producer is entitled to a fair differential in order to have these contracts if possible kept at home. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TREADWAY. I ask for five additional minutes, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. Celler. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. Celler. Has the gentleman fixed in his mind whether 10 per cent represents the difference in cost of production between here and a foreign country? Is there any reason why you pick that percentage?

Mr. TREADWAY. No; only to give a preference to our people which is not unreasonable in competition with foreign goods.

Mr. Celler. You are not fixing in mind a difference in cost of production?

Mr. TREADWAY. No. It is an arbitrary favoritism. It is not a scientific favoritism; neither is it an exclusive favoritism. I would not advocate that. I think our people have to take a fair amount of competition, but I think they are entitled to some preference.

I have made some inquiry about this bill as to its provoking any possible retaliatory action by other countries, and I find by reference to the Department of Commerce, through Doctor Klein's bureau, that while there is no specified difference in one country or another, practically every country does something of this same nature, showing a preference to a homemade product in paying out the taxpayers' money from the national treasury; so that no one could claim, if this were done, that there would be any likelihood of retaliatory measures against our products in foreign countries. We would be simply following the example set us by other countries. In that connection, by way



of revising and extending my remarks, I would like to insert some references to other countries and a copy of the bill I have introduced.

The CHAIRMAN (Mr. TILSON). The gentleman from Massachusetts asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. TREADWAY. My attention was called first to this matter a year ago by certain concerns in my district who were trying to supply the Navy Department with certain tools such as would be used ordinarily on shipboard. On examination I found that they could not get certain Government contracts in competition with the agencies in New York handling goods imported from foreign countries. Later on I found that one of the distinguished Senators from New Jersey was interested in the subject and had taken up the matter of the sale to the Navy Department of cotton waste for wiping material for wiping engines and machinery, and had found that thousands of pounds of that ordinary waste out of the cotton mills of our country were continued to be regarded as waste, whereas a contract was awarded for a German product.

A couple of years ago when our Government was providing headstones to mark the graves of our soldiers in our national cemeteries in France the War Department purchased them in Italian marble, finished in Italy. The design selected by the commission called for a minimum amount of stone and a maximum amount of work. So great is the difference in the cost of labor in Italy from its cost in this country that these stones were bought in Italian marble delivered at the site at much lower cost per stone than that for which they could be obtained in this country. Even so, it would seem fitting from reasons of sentiment alone that our soldier dead who lie in foreign soil should at least have the crosses which bear their names and mark their resting places made from stone quarried in their native land and chiseled by their fellow countrymen.

Now, every Member of this House can find upon inquiry of manufacturers in his district similar illustrations of where our people have been discriminated against, because if we say in the language of the law, "Other things being equal, he shall get the preference," still we give him practically no preference, because it is a well-known fact that in the manufacture of most articles we can not compete with foreign goods on an equal basis. So I bring this idea before the House.

I talked with the gentleman from Indiana [Mr. Wood] about his resolution. I believe I saw him here a short time ago, but I am sorry he is not here at this moment. He agrees with me that his resolution only makes a little more definite the actual equality between various bidders, competitive bidders, foreign and domestic, and he feels that the discrimination that I seek to establish in behalf of our products is much better than the idea that he suggested.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. TREADWAY. The Wood resolution simply undertakes to reiterate the policy heretofore expressed by Congress—that is, that American goods should have the preference over foreign goods whenever conditions of price, quality, and so forth, are equal. My bill would go further and give the American producer a 10 per cent advantage over his foreign competitor.

It has long been felt by those interested that the American manufacturer and producer was not receiving the advantage in Government contracts which Congress intended he should have. In making awards Government purchasing agents have been confronted with two sets of statutory requirements, one holding that, conditions being equal, the American should have the preference over the foreigner, the other holding that awards should be made to the lowest responsible bidder. If the purchasing agent failed to adhere strictly to the first requirement, the only comeback on him would be the protest of the unsuccessful American bidder. On the other hand, if the purchasing agent violated the restriction concerning the lowest responsible bidder by so much as a penny in favoring an American manufacturer over a foreign manufacturer, his accounts were suspended by the accounting officials of the Government. It is therefore easy to see where a purchasing agent, in a case where American and foreign bids were substantially equal, might be inclined to resolve the doubt in favor of the foreigner if he felt there was the slightest question of doubt about the American bid being absolutely as low as that of the foreigner.

My bill, if enacted into law, would entirely relieve this condition. It is needless to say that the measure will have the hearty support of all American manufacturers and producers who compete for Government business.

As the proposed measure will constitute a radical change in the existing practices and procedure in Government departments, it is expected there will be some opposition from Gov-

ernment officials. Whether this opposition will be sufficient to offset the indorsement of American producers and manufacturers remains to be seen.

DEPARTMENT OF COMMERCE,  
BUREAU OF FOREIGN AND DOMESTIC COMMERCE,  
Washington, April 30, 1928.

HON. ALLEN T. TREADWAY,

House of Representatives, Washington, D. C.

Foreign governmental practices re local purchase of Government supplies.

MY DEAR CONGRESSMAN: In accordance with your request, I am happy to send you herewith a collection of material available in the bureau on the practices of foreign governments in giving preference for local purchase of government supplies.

I believe this will be just what you need. You will note that there is no uniform policy followed by any great number of different countries, but that the system varies from fixed percentages of preference as provided for in New South Wales, Australia, or other specific regulations covering the preference to be granted as with the automotive industry in Spain, to a general tendency to favor domestic production, as indicated under Germany.

If you think we can supplement this information in regard to any specific points on which you might need further data, or if at any time we can be of assistance to you in any other way, I hope you will feel free to call on us.

Sincerely yours,

JULIUS KLEIN, Director.

COLLECTION OF MATERIAL ON GOVERNMENTAL PRACTICES IN FOREIGN COUNTRIES RE LOCAL PURCHASE OF SUPPLIES

CANADA

The Canadian Government is at present actively cooperating in the British Empire shopping week being held in Canada, which sponsors considerable propaganda in favor of the preferential treatment of British goods. The preference policy, however, had relatively hard sledding in Canada because of the industrial ambitions of the various Provinces of the Dominion and the participation of American capital in the development of the country. Of course, there is a very strong sentiment in favor of the use of local materials, and where the price differential is not particularly great contracts are undoubtedly awarded on this basis. American firms in Canada have repeatedly stated to our representatives and others that where price is not a material consideration they prefer to award orders locally because of the favorable influence on their operations. In the legislation before Parliament at the present time regarding the permission to build the Port Huron Sarnia bridge, an unsuccessful attempt was made to insert wording which would establish a definite required percentage of material contracts to be placed with Canadian firms. On the other hand, the summer of last year, Canadian firms made a strong effort to obtain the contracts for the five steamships ordered by the Government for the West Indies service, the contract approximating \$10,000,000. They were underbid by Cammell Laird to the extent of some 50 per cent, the government taking refuge in the statement that the contract was awarded to a British firm by reason of the fact that the Canadian bids were not considered competitive but that the business was, nevertheless, thus kept within the Empire.

GREAT BRITAIN

We have no concrete examples with which to demonstrate British voluntary preference to domestic production, although British purchasing agencies quite generally favor the assumption that preference is always given to local production when the goods of domestic producers are at all competitive with similar foreign products. Discussion on the situation ordinarily is only brought about when a British buying agency purchases foreign material, such agency then finding it necessary to defend the course taken.

Three examples are quoted:

1. In or around April, 1927, the Southern Railway Co. of Great Britain placed a \$600,000 order for rotary converters with a Swedish electrical firm. The railway issued an official statement in justification of its action on the grounds that the British electrical manufacturers held such a strict control of prices and conditions of supplying equipment that the railway company felt that it was being subjected to dictation in regard to the terms of purchase. The railway stated that the price quoted by the Swedish firm was lower than that quoted by British manufacturers, but that this was not the principal reason for placing the order abroad as their chief object in doing so was to avoid being dictated to by the alleged British electrical manufacturers' combine.

2. Early in 1928 the Stockport town council decided (according to an open letter to the press) to place an order for electrical generating plant in Switzerland. The difference between the British and Swiss prices in connection with the Stockport contract was said to be about \$85,000 out of a total of about \$257,000, a difference of 33 per cent, and apparently sufficient in the opinion of the Stockport town council to justify purchasing the material from the Swiss.

3. Early in March, 1928, there was considerable discussion in the Sheffield press over the action of a committee of the city council of the

Sheffield (city) corporation in passing a recommendation that a well-known American typewriter be considered the standard typewriter when new machines are acquired by the corporation. British typewriter manufacturers strongly protested that they had not been asked to submit bids for supplying recent requirements of the Sheffield corporation; they insist upon this stand notwithstanding the statement of one of the councilmen to the effect that all first-class makers of typewriters were invited to send in estimates and that the terms offered by the American firm represented a savings of slightly more than \$29 in the case of each machine. Following the councilman's statement one of the British makers supplied the press with a lengthy statement reaffirming the contention that his company had not been approached in the matter.

A statement appeared in the London Times of February 9, 1927, to the effect that British shipbuilding firms had secured contracts aggregating nearly \$5,000,000 in the face of strong competition from continental shipbuilders, and there have been some general statements to the effect that the British shipbuilding industry has been favored by British shipping companies partly, at least, because of the yards' great need for work.

It is reasonable to assume that some benefit must naturally accrue to British producers because of the advertising activities of the Empire Marketing Board and similar propaganda carried on by governmental and private organizations.

#### FRANCE

There is no central purchasing organization for supplies required by the various ministries of the French Government. Each ministry secures its supplies either by direct orders placed with local firms, except in rare instances, or by making public a call for bids. There is no hard and fast rule barring foreigners from participating in Government contracts for supplies. Notwithstanding the latitude offered to foreign firms in bidding on government contracts, the placing of orders with such firms is very uncommon in France. Officials state that this is due to the fact that bids tendered by local firms are more attractive and add that no discrimination is shown.

#### BELGIUM

Purchases by the government departments in Belgium are governed by a law of May 15, 1846, and a royal decree of December 10, 1868. All contracts for government supplies are competitive and public with certain exceptions, including, primarily, supplies of small value, operations which must be held secret, merchandise manufactured under exclusive patent, works of art which can be entrusted only to artists or specialized workmen, and goods urgently needed. Except in cases of urgency, calls for bids are made 15 days in advance, and are advertised in the Bulletin des Adjudications.

Bids on Belgian Government contracts are made by Belgians and foreigners on equal terms, and in some cases preference is even given to foreign firms because of well-established reputation for quality. The tendency to award contracts to the lowest bidder, regardless of nationality, has even caused some dissatisfaction on the part of Belgian firms, notably when orders have been placed in ex-enemy countries. Few requirements are made of foreign firms wishing to enter bids for government contracts. Residence in the country must be established by the bidding firm or by a person representing the firm, with power of attorney drawn up in a form prescribed by the ministry. Another requirement of firms entering bids is to have a postal checking account in Belgium. These requirements form no obstacle to foreign firms, but the question of time is a serious handicap to American firms. The time required for filing bids renders it impossible for American firms not represented in Belgium to make bids within the time limit allowed, and even when an American firm is represented it is often impossible to meet the time requirement if the nature of the material or work calls for blue prints or long technical details which can not be satisfactorily cabled.

#### THE NETHERLANDS

Contracts for all supplies for the Netherlands Government are not centered in one bureau. There is, however, a Government purchasing bureau at The Hague which buys supplies destined for interdepartmental use, including such things as stationery, office supplies, fuel, etc. Bids are not announced or advertised, but several reputable firms are invited to bid. Very little purchasing is done abroad. The director of the purchasing bureau may accept any bid, regardless of price or terms. In addition to the Government purchasing bureau, there is the Government building service which has charge of the purchasing, hiring, construction, and upkeep of all Government buildings.

Only those corporations or individuals having a domicile in the Netherlands (or abroad) are admitted as suppliers and in regard to whose ability to carry out the contract the minister entertains no doubt. The minister may award a contract without having to accept the lowest bid and without stating his reasons for doing so. At the same time, he may also throw out all bids if such procedure seems desirable. Domestic suppliers are given preference up to a percentage of 10 to 15 per cent in connection with bids, although this margin is not always strictly adhered to. As a security for performance, the successful bidder is

often required to name two guarantors who will each be held responsible for the carrying out of the contract and who have to affix their signatures to the bid in question. The guarantors must be persons residing within the kingdom.

#### SPAIN

There is a law of February 14, 1907, which lists those foreign products which may be purchased abroad for Government contracts. In a decree of July 27, 1926, it is required that among the products which that list outlines only those which can not be procured from local industries may be purchased abroad. The reasons for such foreign purchases can be: (1) Quantity not available; (2) quality not available; or (3) can not be produced within required period of time.

Enterprises dedicated to public transportation of persons and merchandise, entities having contracts with the State, Provinces, or municipalities, and the various branches of the Government requiring automobiles, trucks, tractors, steam rollers, tanks, etc., must communicate with the Comisión Oficial del Motor y del Automóvil (Official Commission of the Motor and Automobile) regarding such purchases.

In case of competitive bids, Spanish products will be given preference when the price does not exceed the foreign bid by more than 10 per cent or in some cases 5 per cent.

Three general classes of automobile manufacturers are established: (a) Manufacturers of automobiles or those manufacturing all classes of the mechanical elements entering into motor vehicles; (b) manufacturers of bodies; (c) manufacturers of auxiliary elements and accessories. Manufacturers are considered in the first category and entitled to the highest degree of preference when they manufacture or use 75 per cent of Spanish-made elements entering into their product. In considering a motor vehicle the following elements are given the percentage noted below:

	Per cent
Motor	29
Transmission	3
Differential and rear axle	13
Axles	6
Steering gear and brakes	5
Control	2
Feed, suspension, wheels, and tires	26
Shifting gears and clutch	16

#### ITALY

[Law published Gazzetta Ufficiale, April 25, 1927]

It is obligatory for all Government departments, semiofficial institutions, and organizations in any way dependent either directly or indirectly on the Government, including those holding concessions from or in any way subsidized by the State to give the preference to local firms in connection with all purchases of supplies or work to be done. Foreign bids will only be received when the local industry is unable to offer satisfactory prices for the quality required or where it is not possible to obtain the entire quantity needed within the necessary period of time, in which latter case such bids must be limited to the quantity exceeding the capacity of the local industry. In all other cases bids must also be requested locally, and the competition can be limited to foreign firms only in the event that the local industry is not in position to produce the material required. In connection with contracts made by the Government departments, where necessary, the opinion of the Minister of National Economy or of the General Confederation of Industry as to whether or not the conditions outlined above exist shall be obtained, and such departments must furnish quarterly to the minister in question a list of the contracts concluded abroad, indicating in each case the name and nationality of the firm, the nature of the goods furnished, and their value. The only exception made is in the case of materials purchased by the military departments for purposes of experiment or study where it is desirable that secrecy should be maintained. A special commission will be appointed to consider doubtful cases.

The Government departments and other organizations where freedom to make purchases abroad is limited by the decree just issued can not request competitive bids from abroad without the previous authorization of the Minister of National Economy, which is also required in the case of private negotiations with foreign firms except in connection with the purchase of repair parts for machines manufactured abroad. Where foreign bids are allowed, the limits of protection granted to local firms by a previous decree dated January 7, 1926, will apply; that is to say, the price of the domestic product may exceed that of foreign products offered in competition, including customs duty and transportation charges to destination, by not more than 5 per cent, and in exceptional cases this percentage may be increased to 10 per cent. If the most favorable foreign bid increased by the percentage indicated above is equal to or greater than the lowest Italian bid, preference shall be given to the latter. However, this protection is only granted to Italian firms which manufacture in Italy and to the establishments of foreign firms situated in Italy which employ for the most part Italians and assume an obligation to manufacture the goods in question in Italy, using Italian materials as provided in a later article.



Local firms which have been awarded contracts for furnishing supplies or carrying out work are obligated to employ exclusively materials of local production except in the following cases:

- (a) Where it is a question of goods not produced in Italy.
- (b) Where it is impossible to obtain the quality required or a sufficient quantity to insure the observance of the conditions of delivery.
- (c) Where the price of the local materials exceeds that of foreign materials by more than the percentage of protection granted to the local industry as indicated above.

There shall be considered as local products goods of all kinds which are produced in Italy either using raw or semifinished materials of Italian production or raw or semifinished materials produced abroad, provided that in the latter case the finished product represents an increase in value of at least 40 per cent over the value of the foreign materials used in its manufacture. Under special conditions this percentage may be less than 40 per cent, but in no case below 20 per cent. In no instance will products that are simply assembled in Italy from separate parts manufactured abroad be considered as Italian products, even if there are added accessories manufactured in Italy.

Firms which do not comply with the conditions laid down are punishable with a fine up to 10 per cent of the value of the raw or manufactured materials of foreign origin employed, and in case of a second offense may be excluded for a period of from one to two years from all contracts with the State and the other bodies to which the decree applies.

#### POLAND

Although not officially revealed, it has been an open secret for some time past, especially since the inauguration of drastic import restrictions in 1925, that the Polish Government is pursuing a policy of eliminating, whenever possible, foreign products not only in cases of bids on government contracts but also for use by municipal and communal institutions. This policy is being enforced chiefly, indirectly, by means of confidential circulars. At least in one instance such a circular was brought to the surface by a contractor in connection with the delivery of American products (lard and fatback) for the Polish War Ministry.

While the discrimination against foreign products is essentially a part of the policy of import restrictions, it is also intended for the protection of domestic industries and labor. For instance, all the contracts of the American contracting firm "Ulen & Co." on the construction of public utilities for several municipalities contain a stipulation limiting to a minimum the use of foreign materials and labor. Even the Harriman-Anaconda concession on the Giesche Zinc & Metallurgical Works, generally very broad, contains similar limitations. Municipalities have been admonished by the central government to refrain from placing orders abroad without the consent of the respective ministries.

#### RUMANIA

The elimination of foreign materials not produced within the country is effected exclusively by means of prohibitive duties. The draft of the contract of "Ulen & Co." with the municipality of Bucharest on public-utilities construction work provided practically for the elimination of foreign materials obtainable within the country. No other information concerning discrimination against foreign products by the government or municipal authorities has been brought to the attention of this office.

#### SCANDINAVIAN COUNTRIES

There is no information which would indicate that the government of any of the Scandinavian countries gives preference to local firms to the extent of awarding a contract, although their bidding be higher than that of a foreign firm. Occasionally, when a contract is awarded to a foreign firm because of their ability to underbid local firms, the press often expresses regret that high wages followed by high cost of production makes it impossible for native firms to obtain the contract. There is considerable agitation in the Scandinavian countries for buying home products. This, however, has never taken the form of excluding fair competition by foreign countries.

#### GERMANY

Persons of any nationality are permitted to bid on government contract requirements. There is a natural tendency, of course, to place orders with German firms, especially in view of the present very large number of unemployed and Germany's high financial obligations to the nations who participated in the war, but orders are also placed abroad if the offer of the foreign bidder is attractive. No particular preference is shown to the United States.

There is no definite percentage in favor of domestic bidders.

#### UNION OF SOUTH AFRICA

The Government of the Union of South Africa has a well-defined policy for the preferential treatment of the goods made in the Union and allows a 10 per cent buying preference for those manufactured in South Africa from South African raw materials; goods made in South Africa primarily from imported materials are given a buying preference of 5 per cent. While the adoption of this regulation in 1926 has had

the effect of permitting an increasing participation of South African goods, on the whole it probably favors also the participation of American goods represented in the market by resident agents, as compared with their position under the former régime by which contracts were exclusively awarded through the High Commissioner's office in London.

While essentially following the British Empire preference policy, the extent of the government's preference to empire firms, as opposed to other nationals, is less well-defined. In fact it has been the subject of considerable complaint on the part of British firms who feel that the government does not maintain a consistent position with respect to the preferential award of contracts. In some cases the specifications for government tenders have been so drawn as to practically exclude any but British products and it is generally accepted as a fact that in the case of large and important orders a considerable pressure has been brought to bear on South African officials for the preferential treatment of British goods, particularly as a result of the influence of British trade organizations and industrial interests, the latter, of course, predominant in South Africa.

Within the past few months there has been a great deal of criticism of the last Government award in railway tenders, which constitute the most important group of the Government's purchases. German firms received contracts for 93 of the 120 locomotives ordered on a bid which was stated to have been 25 per cent under the British tender and between 30 per cent and 50 per cent under the tender of American firms. British firms received a contract for 29 locomotives and Italian firms a contract for 10 locomotives of a special type. We have seen unconfirmed reports to the effect that the British bidders were requested to submit the second tender in order to make the award more nearly competitive. It appears, however, that the question of delivery was the most important factor in the award and probably explains the request for a second tender. Aside from the Government's awards, it is possible to select a number of instances of awards in South Africa which went to German and Belgian concerns over the heads of British bidders, the price differential in all of these cases having been the conclusive factor. The Durban Corporation extends a voluntary preference of 10 per cent to British firms over other suppliers, but has been compelled to make purchases from German concerns because of the size of the price differential in German bids.

The proportion of South African goods in the total award of Government stores is undoubtedly increasing substantially year by year. The proportion of British participation in this business has dropped from 81 per cent in 1922 to 65 per cent in 1926. Government store imports from Germany have increased from 1 per cent in 1922 to 11 per cent in 1926. The percentage of United States participation is erratic, due to our interest in a somewhat narrower range of commodities. It was 12 per cent in 1925 and 2 per cent in 1926, the drop being due wholly to the participation in railway contracts.

#### LATIN-AMERICAN COUNTRIES

It is difficult to give specific instances where local manufactures have been preferred despite price or quality differentials favoring foreign merchandise. There are undoubted tendencies in that direction, particularly in governmental and municipal works; but even where there is a marked difference in the price of the foreign and the domestic product, it is not always feasible to determine the relative qualities.

However, we know of one case where the Chilean Government ordered certain railway materials, and specified that these should be manufactured within the country, notwithstanding that none of the materials ordered had ever heretofore been produced in Chile. Although we have no means of ascertaining the prices eventually paid and the qualities delivered, nor the probable prices and qualities had foreign merchandise been ordered, it is safe to assume that the native-made freight cars, gondolas, tank cars, etc., were more costly than and inferior to the imported article.

Another instance is an order placed by the municipality of Buenos Aires, in which it was stipulated that domestic cement was to be used in construction. No prices were mentioned, but it is probable that at the seaport of Buenos Aires the foreign cement could have been supplied at a lower cost, else the stipulation referred to would have been superfluous.

On the other hand, there has been a case in Peru where an order was given for German cement in preference to that locally manufactured at the Foundation Co.'s plant, despite the lower price of the latter. The German cement was allowed to come in free of duty in order to offset the market price differentials.

#### Far East

##### BRITISH MALAYA

Singapore naval base: From all reports there appears to be a kind of unwritten agreement that all materials to be used in the construction of the naval base at Singapore must be of British origin.

In this connection it is interesting to note that Trade Commissioner Renshaw recently wrote from Singapore that "despite what amounts to practical orders that only British goods should be bought, a fair amount of American machinery and building material is going into the new naval base because of the acknowledged superiority of these goods."

## BRITISH INDIA

An indirect preference is given domestic products by virtue of the fact that all articles purchased abroad, with a few exceptions, by the Government of India or a local government are assessed the same rates of duty as private purchases.

Whereas under former regulations Government purchases abroad were exempted from the payment of import duties, a law effective April 1, 1924, as amended, provides for the imposition of import duties on all goods imported by the Government of India or a local government, or which have been shipped on the order of a department of the Government of India or local government, and have been appropriated to such order at the time of shipment, with the exception of airplanes and parts thereof, arms, ammunition, and certain military stores, currency notes and postage and revenue stamps.

In a recent report regarding protection to the Indian Railway wagon industry, the Indian Tariff Board recommended to the British Indian Government that until the demand for wagons becomes more normal the Government should call for tenders only in India and place contracts if the tenders were within a certain maximum price. A bill was submitted to the legislative assembly in a modified form to give effect to these recommendations. After being considered by a select committee the bill was reported back to the legislative assembly with the recommendation that the Indian Tariff Board's recommendations be accepted rather than those of the Government. According to last reports no final decision had been reached in regard to the measure by the legislative assembly.

## NEW SOUTH WALES, AUSTRALIA

(Local government amendment (preference to Australian and Empire goods) act, 1926)

SEC. 2. The local government act, 1919, is amended by inserting next after section 517 the following new section:

517A. (1) In purchasing or obtaining any goods the council shall give effective and substantial preference to goods manufactured or produced in the Commonwealth.

(2) If goods manufactured or produced in the Commonwealth can not be purchased or delivered within a reasonable time, or can only be purchased in insufficient quantities, or of a quality unsuitable for the purpose required, the council shall give effective and substantial preference to British goods over foreign goods.

(3) The minimum rates of preference to be given under this section are indicated in the table following:

Rate of customs duty to which the goods are liable	Minimum rate of preference to be given to goods manufactured or produced in the Commonwealth over—	
	British goods	Foreign goods
	Per cent	Per cent
Duty free.....	20	30
5 per cent.....	15	25
10 per cent or more.....	10	20

In all cases, subject to the provisions of this act, goods manufactured or produced in the Commonwealth are to be given preference of at least 10 per cent over British goods.

In all cases British goods are to be given preference of at least 10 per cent over foreign goods.

(4) In this section "British goods" means goods manufactured or produced at any place within the British Empire; "Commonwealth" means the Commonwealth of Australia; "foreign goods" means goods manufactured or produced at any place outside the British Empire; "goods" includes machinery or material.

(5) The provisions of section 213 with respect to surcharges shall apply in relation to any expenditure authorized by a council in contravention of the provisions of this section.

In addition to this actual preference, there is a sentimental preference in favor of local production which is effective in aiding local manufacturers.

## JAPAN

It is the general policy of the Government in Japan to encourage the use of home products wherever possible. Commissions have been organized for the purpose of spreading propaganda on the advantages of using domestic goods in preference to foreign. The following law, passed during the last session of the Diet in 1927, and effective on March 31, 1927, indicates the Government's policy:

"For the purpose of encouraging national industries, and when it deems such action necessary, the Government, for the time being, may specify goods of domestic manufacture in purchases for its account. It may specify (at the time contracts are entered into with manufacturers or others tendering bids) that part or all of the materials which are to

be used in construction or manufacturing processes shall be of domestic manufacture."

Commercial Attaché H. A. Butts reported to the bureau under date of March 20, 1928, that "The Home Industry Encouragement Commission of the Department of Commerce and Industry has definitely agreed upon 37 articles in which preference will be given to home manufactures. These include pig iron and various steel products, certain dyestuffs and chemicals, woollen goods, and miscellaneous technical appliances. It is said that a total of 118 articles will ultimately be designated for such preference as against imported articles. No definite statements have been forthcoming as to the degree of preference to be given."

[H. R. 13405, 70th Cong., 1st sess.]

IN THE HOUSE OF REPRESENTATIVES,

April 30, 1928.

Mr. TREADWAY introduced the following bill, which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

A bill (H. R. 13405) to regulate the purchase of personal property for the use of the Federal Government

*Be it enacted, etc.,* That in all cases where supplies, equipment, stores, or any other personal property for the use of the Federal Government are required by law to be purchased on the basis of competitive bids, each bid shall specify whether the bidder proposes to furnish a product of domestic origin or a product of foreign origin, as such terms are defined herein, and any bid which fails to comply with this requirement shall be rejected. After such bids and also those which fail to comply with the required specifications or conditions of purchase have been eliminated, the remaining bids shall be classified into (a) those proposing to furnish products of foreign origin, and (b) those proposing to furnish products of domestic origin. If the purchase is required by law to be made on the basis of the lowest acceptable bid and if the lowest acceptable bid proposes to furnish a product of foreign origin, such bid shall be compared with the acceptable bids proposing to furnish products of domestic origin. If any such acceptable domestic bid is not more than 10 per cent in excess of such foreign bid, the official charged with executing the contract may accept the domestic bid and reject the foreign bid. In determining whether to accept the foreign bid or a domestic bid, due weight shall be given by such official to promptness and certainty of delivery, the financial stability and known reputation of the bidders, the assurance of being able to obtain future repairs or replacements, the desirability of maintaining domestic sources of supply of said product for use in time of war or other national emergency, and to any superior quality or adaptability of the domestic product.

SEC. 2. As used in this act—

(a) The term "product of foreign origin" means any product all or the principal part, constituent, or ingredient of which is produced, mined, extracted, manufactured, assembled, or processed in any foreign country otherwise than by a citizen or group of citizens of the United States or a corporation or association organized under the laws of the United States or of any State, Territory, possession, or the District of Columbia.

(b) The term "product of domestic origin" means any product other than a product of foreign origin.

SEC. 3. All laws and parts of laws inconsistent herewith are hereby repealed to the extent of such inconsistency.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

## MILITARY POSTS

For construction and installation at military posts of buildings, utilities, and appurtenances thereto, as authorized by an act entitled "An act to authorize appropriations for construction at military posts, and for other purposes," approved May 26, 1928 (45 Stat. p. 748), without reference to sections 1136 and 3734, Revised Statutes (U. S. C. p. 219, sec. 1330; p. 1302, sec. 259; p. 1303, sec. 267), including also the engagement, by contract or otherwise, of the services of architects, or firms, or partnerships thereof, and other technical and professional personnel as may be deemed necessary without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States, \$14,441,950, of which not to exceed \$4,800,000 shall be available for the payment of obligations incurred under the contract authorizations for these purposes carried in the War Department appropriation act for the fiscal year 1929, and in the second deficiency act, fiscal year 1928: *Provided*, That of the amount herein appropriated, \$4,800,000 shall be payable from the military post construction fund created by section 4 of the act approved March 12, 1926 (U. S. C. p. 1913, sec. 1597), and \$9,641,950 shall be payable out of the general fund of the Treasury: *Provided further*, That the Secretary of War is authorized to enter into contracts for the purposes specified in the said act of May 26, 1928, to an amount not to exceed \$3,000,000, in addition to the appropriation herein made:



*Provided*, That no part of the sums appropriated or authorized to be contracted for in this paragraph shall be available for construction at Scott Field, Ill.

Mr. IRWIN. Mr. Chairman, I would like to submit an amendment.

The CHAIRMAN. The gentleman from Illinois submits an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. IRWIN: Page 25, line 16, after the word "made," strike out the remainder of the paragraph.

Mr. IRWIN. Mr. Chairman and gentlemen of the committee, as Representative from the district in which this military post, Scott Field, is located, I want to protest against the language used in the bill. Therefore I have introduced this amendment.

In the Sixty-ninth Congress I introduced a bill for \$100,000 for housing at Scott Field, and in the first session of the Seventieth Congress the gentleman from Michigan [Mr. JAMES] introduced a committee bill for \$150,000 for the same purpose. Those bills were authorization bills, and both passed the House. In the appropriation bill for the fiscal year 1929 an item for \$100,000 was carried. It passed the House and went over to the Senate, and was eliminated in the Senate.

I am very anxious to know who is the author of this particular language in this paragraph of the bill. I would like to ask the chairman of the committee.

Mr. BARBOUR. I will state to the gentleman from Illinois that the language was inserted in last year's appropriation bill in the Senate. As I recall, it was exactly the same language.

Mr. COCHRAN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. IRWIN. I will.

Mr. COCHRAN of Missouri. I have read in the hearings where the officials of the War Department themselves requested this committee to insert that language in the bill. The hearings so disclose.

Mr. BARBOUR. The language of the hearings shows, as I recall, that the War Department does not care one way or the other about it.

Mr. COCHRAN of Missouri. Yes; and you personally called their attention to it.

Mr. BARBOUR. The language was first inserted in the Senate. The gentleman from Illinois [Mr. IRWIN] asked who was responsible for the language.

I stated to him that this language was written into the bill in the Senate, and this year the bill comes down with the same language in it.

Mr. IRWIN. Now, gentlemen, I appeared before the Subcommittee on Appropriations and tried to get this item of \$100,000 inserted in this bill. I was told by the committee to go to the Bureau of the Budget. I talked with General Lord about the matter and he said it was purely up to the Secretary of War or the War Department. I got into communication with the War Department and have a letter from that department, which I ask leave to insert in the RECORD, stating that owing to the fact that this item was taken out of the bill in the Senate the War Department judged a change in policy was contemplated. The Secretary of War stated that he would willingly submit this whole matter to the Congress of the United States. In other words, I went to the committee, I went to the Budget, and I went to the War Department. I have been traveling around in circles but have not been able to accomplish anything.

It seems to me that the striking out of this item by the Senate is interpreted to mean the policy of Congress in this matter. I seriously protest against this discrimination against this one field. We have many more military posts all over the country and none is included in this proviso except Scott Field. I can not quite understand why this field should be discriminated against. From what information I have been able to get from the different activities of the Government I understand this field is supposed to be continued, but under the language of this bill, if it stays in the bill, there could not be one nail driven at this military post. Suppose we should have some contingency at the field or suppose a storm should blow down some of the barracks. If that happened nothing could be done.

The barracks are war-time barracks and are practically falling to pieces at the present time. I understand the Army intends to continue its activities at this field. While I am not asking to amend this bill by inserting an appropriation I am certainly asking that Scott Field may not be discriminated against, and I certainly hope that my amendment will be agreed to.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing the letter referred to. Is there objection?

There was no objection.

The letter referred to follows:

DECEMBER 6, 1928.

Hon. ED. M. IRWIN,

*House of Representatives, Washington, D. C.*

DEAR MR. IRWIN: I am pleased to reply to your letter of November 19, 1928, wherein you request information as to whether appropriations covering certain construction of barracks and noncommissioned officers' quarters at Scott Field, Ill., have been submitted to either the Bureau of the Budget or whether they are included in the War Department appropriation bill for the fiscal year ending June 30, 1930, now under consideration by the House Committee on Appropriations.

Specifically the items referred to are—

One hundred thousand dollars for barracks (Public, No. 764, 69th Cong., 2d sess.).

One hundred and fifty thousand dollars for noncommissioned officers' quarters (Public, No. 518, 70th Cong., 1st sess.).

The item of \$100,000 for barracks was included in the Army appropriation bill, fiscal year 1929, but was eliminated from the bill by the Senate. Subsequently, the Bureau of the Budget was requested to include this item in the second deficiency bill, 1928. It was found to be in conflict with the financial program of the President and was not included in the bill.

From the action of the Senate, to which reference has been made, it appears that there may be some intention on the part of Congress to change its policy with reference to lighter-than-air equipment. Pending a decision by Congress on this subject the War Department does not feel that it should again include such items in the Budget.

However, the policy of the War Department with reference to lighter-than-air equipment remains unchanged.

Sincerely yours,

DWIGHT F. DAVIS,

*Secretary of War.*

Mr. COCHRAN of Missouri. Mr. Chairman, I rise in support of the amendment. Mr. Chairman and members of the committee, as the report shows, no funds are included in the bill for the preparation of lighter-than-air equipment, nor are any funds included for any building construction at the lighter-than-air post at Scott Field.

This means practically the end of lighter-than-air craft so far as the Air Service of the Army is concerned. The hearings show at the end of the present fiscal year we will have nine ships in operation, while July, 1930, there will be but three ships unless some provisions are made for this service in the pending bill.

I have carefully examined the record, and in no instance can I find any doubt existed either in the mind of the Assistant Secretary of War Davison or Major General Fehet, Chief of the Air Corps, of the advisability of continuing lighter-than-air operations.

This service is included in the 5-year program for the Air Service. Further, provisions have been made in two acts of Congress for the construction of barracks for noncommissioned officers and quarters for the commissioned personnel at Scott Field, Ill. Still the War Department failed to submit estimates to the Bureau of the Budget, and in view of this the committee has declined to recognize the needs of this branch of the Air Service. The subject is discussed no less than eleven times in the hearings, the subcommittee giving the officials every opportunity.

While in one breath those charged with the affairs of the Air Corps state the value of lighter-than-air craft in military operations is admitted, in another breath they recommend to the committee the insertion of this language in the bill, which means beyond question, if carried out, the discontinuance of this branch of the service after July, 1930.

When pressed by the gentleman from California [Mr. BARBOUR] for a reason as to the failure of the department to submit estimates the officials replied it was waiting to see if Congress desired to change its policy in respect to lighter-than-air craft.

We all know the military policy of the Government is not changed by the Congress unless so recommended by the War Department, and I find at no time has the department made any recommendations of any character or even intimated that it desired a change.

We have 32 officers, 2 warrant officers, and 539 enlisted men at Scott Field, Ill. Neither the officers nor noncommissioned officers are properly housed; in fact, the officers reside in towns near the field, either at hotels or in private homes.

The failure of the department to make an estimate for the continuance of lighter-than-air craft is due to the objections of one Senator. In last year's appropriation bill he succeeded in eliminating the item covering this service. The House conferees made every effort to get the Senate conferees to recede from the amendment, but the Senate conferees held out and the appropriation was omitted. The \$250,000 for quarters had been placed in the bill by the House after the department had submitted an estimate, and there was also a \$200,000 appropriation for additional equipment. This was reduced to \$13,000, seriously crippling the activities of this service.

In shirking its responsibility in this matter by declining to submit estimates this year the department officials yield to the opinion of one Senator, but at the same time take the precaution to state in the hearings the necessity of carrying on lighter-than-air.

The House committee has taken the stand if the department wants the appropriation it should ask for it and not expect the committee to assume responsibility. No complaint can be made of this course. The question is, Does the House desire its wishes as expressed by the 5-year program and the two authorizations for housing carried out, or will it, too, yield to the Senator, who is making a fight to destroy this branch of the Air Service?

I do not propose to refer to the military value of lighter than air, because I confess I have not sufficient knowledge to warrant me in expressing an opinion, but I do call attention of the House to the frank statements found in the hearings time and again where the officers of the Air Service not only say there is a military value but also say the service should be continued.

Only a few months ago hundreds of millions of people here and abroad followed the press reports day by day of the movements of the big airship that made the round trip from Germany to the United States. The hearings show England, Germany, and other countries are engaged in research work and experimenting, spending large sums on lighter-than-air craft, while our officials are content to say we want it but will not ask for the necessary funds.

The language the gentleman from Illinois seeks to have stricken from the bill, which provides that no part of the appropriation shall be used for construction of Scott Field, was submitted to the committee by the Chief of the Air Service. The Government has already spent large sums in establishing Scott Field, and this money will practically be a complete loss if the activities are not continued. It was my intention to offer an amendment providing for \$200,000 for additional lighter-than-air equipment. However, after talking with members of the committee, I will accept the suggestion that the bill go to the Senate as reported. The language restricting the expenditure of any money at Scott Field should be stricken from the bill, and I hope the amendment of the gentleman from Illinois, Mr. IRWIN, will be adopted.

A Member of the Senate is now endeavoring to get the War Department to submit an estimate to the Bureau of the Budget and have it sent to the Senate committee in time to be added as an amendment to this bill. We hope he succeeds; and if he does, I feel confident the House committee will accept the amendment and the House will approve.

Mr. BARBOUR. Mr. Chairman, the 1929 appropriation bill, when it passed the House, did not carry this language. When the bill went to the Senate this proviso was written into it in the Senate, there being some question as to how far the Army should go in carrying on these lighter-than-air activities.

The Navy is engaged quite extensively in lighter-than-air craft manufacture and operation. Because of this fact it was considered, as I understand the situation in the Senate, that there was very apt to be duplication along these lines. Therefore, this language was written into the bill providing that none of the money appropriated or authorized to be contracted for in this paragraph should be available for construction at Scott Field.

The Army is reducing its lighter-than-air activities. According to the statements made to our committee, they will have on hand on June 30, 1928, and in operation, 13 lighter-than-air ships; on June 30, 1929, they will have on hand and in operation 9 lighter-than-air ships, and it is estimated that on June 30, 1930, they will be operating 3 lighter-than-air ships.

So in view of the fact that the Army is limiting and even reducing its lighter-than-air activities, and in view of the situation in the Senate the committee deemed it advisable to retain this language that was in the act last year.

There was no estimate from the Bureau of the Budget for this item for Scott Field. When the gentleman from Illinois [Mr. IRWIN] appeared before the committee, the committee took

the position that in view of the situation, the Senate having written this language into the 1929 bill and insisted on its being retained, the gentlemen interested in this item should go first to the Bureau of the Budget and get an estimate. Then the matter could be presented to the committee in the regular way. But the real fight on this matter is in the Senate.

It is there that serious and strong objection has been made to the item, not here; and it is there, in my opinion, that the matter must be fought out. For that reason the committee felt that the only course it could pursue was to bring this bill back with the same language it contained when it was finally adopted last year.

Mr. IRWIN. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. IRWIN. I would like to ask the gentleman, who is chairman of the subcommittee, if he thinks it is entirely fair to single out this particular field. While we are concerned with what the body at the other end of the Capitol does, yet we are legislating on this side of the Congress. As I have protested by my amendment here, I feel that we are discriminated against. If this language is left out we are not discriminated against, but with this language in the bill, there could not be one thing done, as I have heretofore said, and I certainly feel that the House does not care to discriminate for or against any particular military field in the United States until such time as the War Department takes a definite stand as to the policies in respect of the various activities of that department.

Mr. BARBOUR. I will state to the gentleman from Illinois that so far as the subcommittee is concerned, there is no disposition to discriminate against anybody, but here is the peculiar condition that confronts us.

As I said a moment ago, this item for Scott Field was in the bill last year and went out in the Senate. This was agreed to by the House in conference after the Senate insisted on its amendment, and since that time nothing further has been done until now; no effort to get the Budget to recommend it, no effort, as I understand, to get the War Department to recommend that it be provided for. It comes before us without any recommendation behind it whatsoever and the committee felt in view of the circumstances it would not be justified in changing the language of this bill.

Mr. TABER. Mr. Chairman, this is a rather unusual situation. This is the section of the bill which provides for the construction of new barracks and quarters. It provides the money to complete all the barracks which have not now been completed.

At Scott Field we have this situation. As the chairman of our subcommittee has so clearly stated, the lighter-than-air activities are being reduced. At the same time it is contemplated by the War Department to carry them on in a reduced way over the period of the year 1930 and see what results—and see if there is a different policy determined upon by the Congress as to whether or not this activity should be carried on.

With this situation in mind it would be absolutely foolish to go ahead and build new barracks at this place when we do not know whether the final policy is to go ahead with the activity or not.

In the meantime the situation is not suffering, because the general provisions of the law carry money which can be used for the repair of the wooden barracks, and these wooden barracks are probably better than almost any other wooden barracks that we have left which are being used in this country. Having all this in mind, it is absolutely foolish for this House to go ahead and attempt to provide for the construction of new barracks there. Anyway the proper procedure would be for the gentleman to go to the Bureau of the Budget and get an estimate of what the cost of these barracks would be, because the Bureau of the Budget has not submitted an estimate which covers the construction of these buildings; and it can not be done, anyway, without that estimate and the item being included in the bill.

Mr. COCHRAN of Missouri. An effort is being made by a Senator to secure the estimate and submit it to the Senate committee.

Mr. TABER. It will be time to pass on that when they get it.

Mr. COCHRAN of Missouri. There would be no objection by the committee.

Mr. BARBOUR. The gentleman is mistaken; I did not say there would be no objection; I said our action was not final until then.

Mr. IRWIN. In my amendment it does not call for an appropriation. I am only asking that the proviso be cut out.



Mr. TABER. It does not hurt the gentleman whether it is cut out or not.

Mr. IRWIN. Then why is this language in this bill?

Mr. TABER. Because it is generally understood that the construction is to be postponed until they determine whether we are going on or not.

Mr. IRWIN. Why does the gentleman object to striking it out if it does not mean anything?

Mr. TABER. Because it lets it be known that Congress does not intend to go ahead until the matter is determined.

Mr. IRWIN. My amendment simply strikes out the proviso. I am not asking for an appropriation. I am simply asking for the elimination of the proviso.

Mr. TABER. That can be done whenever the estimate comes up and has been passed upon by the committee. It is not proper for Congress to do it now.

Mr. IRWIN. I was told by the committee to go to the Budget, and I did. I went to the War Department, and I tried my best and did everything I possibly could up to this time to secure recognition for Scott Field.

Mr. TABER. The gentleman certainly has.

Mr. IRWIN. I am only asking that you shall not discriminate against Scott Field. We have many other fields, and why discriminate in this bill against Scott Field by expressly specifying it? That is what I object to, and I hope you will allow this provision to be stricken out and not discriminate against Scott Field.

Mr. LANHAM. Mr. Chairman, I was interested in the statement of the chairman of the subcommittee to the effect that by the 30th of June, 1930, the Army would have but three lighter-than-air ships in operation. Do I understand the gentleman to say that that will be the total number of lighter-than-air ships of the Army that will be in use by that time?

Mr. BARBOUR. I understand that is to be the program.

Mr. LANHAM. Now, I want to address myself to that situation. It seems to me that this country, of all countries, should retain its active interest in lighter-than-air work. We are peculiarly and fortunately blessed in being the only country under the sun that has in relative abundance the necessary agent for the safe and practical operation of lighter-than-air ship—namely, helium.

Mr. TABER. Will the gentleman yield for a short statement?

Mr. LANHAM. I yield.

Mr. TABER. I think it is fair that I should inform the gentleman that the naval budget submitted to Congress, which the Naval Appropriation Subcommittee is now considering, provides for the continuation of the construction of the two large airships, the starting of which was provided for in the last year's naval appropriation bill, as rapidly as it can be done under the contract. And it also provides for the continuation of the operation of the *Los Angeles* in the same manner that it has been operated during the period of construction.

Mr. LANHAM. The construction of these two large dirigibles which have been authorized will necessarily require a considerable length of time. Consequently, by the end of the fiscal year we will have three lighter-than-air ships in the Army and practically but one in the Navy—the *Los Angeles*—because the two large ones will be under construction.

It has been my privilege to give considerable study to the operation of lighter-than-air craft. That study was stimulated in the first instance somewhat by reason of the fact that the helium production plant was located in the district that I have the honor to represent. Certainly I can not now be charged with any selfish motive in this regard, which might formerly have been imputed to me, because that plant is closed down and the new Government plant is set up 335 miles from Fort Worth in Amarillo, Tex., in the district represented by my colleague [Mr. JONES]. But my study has impressed me with the importance of our development in this line, because, I repeat, we are the only country that has this invaluable agent and asset of helium in any considerable volume. Other nations have sought for it, even going to the extent in Japan of attempting the hazardous undertaking of trying to find helium in the emanations of certain volcanic gases. And, now, the fact that other countries of the world are anxious to find helium within their boundaries and are spending their money in promoting lighter-than-air development—the great giant *Graf Zeppelin* of Germany having but recently made a trip across the Atlantic and back—shows that the rest of the world, not so favored as we are, is keenly alive to the possibilities of lighter-than-air craft. To me it seems almost preposterous to think that by the 30th of June of next year, favored and fortunate as we are, even for purposes of training personnel and of experimentation by land

and by sea, we are going to have but three little ships in the Army and one large one in the Navy, which, according to the terms of the treaty, can not be used in military operations.

Should the foremost country in the world, favored by Providence in having a practically inexhaustible supply of this great agent, throw away its chances and opportunities, train no personnel, have no ships, when the other nations of the earth not so favored are proceeding diligently in the lighter-than-air field?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LAGUARDIA. Mr. Chairman, I agree entirely with the conclusion of the gentleman from Texas [Mr. LANHAM], though perhaps not for the same reasons. It seems to me that the Congress should not abandon lighter-than-air craft in the Army and the Navy. While at the present time there is doubt as to the real military value of large airships, owing to the development in airplanes, the field of airships has been by no means fully explored.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. LANHAM. In that connection, of course, the large ships will perhaps be more serviceable for the Navy, but those in the Army service are smaller ships, and it is not contemplated that they will be enlarged in size.

Mr. LAGUARDIA. They have great potential possibilities. There has been very little developed in airships since the time that Count Zeppelin first built his large dirigible, and it would be a great mistake if, having the natural resources described by the gentleman from Texas [Mr. LANHAM], we were to abandon the experimentation and development of lighter-than-air ships. If there is one useful purpose of an army and navy in time of peace, it seems to me that it is along these lines in developing these new means of transportation, and I look at aviation as an agency of peace rather than as a weapon of war. We have the advantage of having an abundance of helium gas. We are certainly appropriating generously for the development of aviation, but I would not go along with the recommendation of the War Department to curtail along these lines. At the last world aviation conference held in Washington, I think it was brought out by some one that all of the discussion was on heavier-than-air planes, and very little was said concerning airships, because there was such little improvement and progress made in that field.

The lighter-than-air ships afford great possibility for the development of motors. With the new fuel used by the Germans in the *Graf Zeppelin*, which just made a round trip from Germany, and with the new ideas being put into the great dirigible now being built by the English, which ship will be ready in a few weeks, we ought to take advantage of the progress made by the English and the Germans and utilize the natural resources that we have and utilize the time and services of a large, efficient Air Corps and use some of the funds we are appropriating for the development of aviation and keep up the experimentation in the lighter-than-air ships. I for one say that we have not yet arrived at that time or stage of development where we can properly say, "Let us abandon the lighter-than-air ships."

Mr. IRWIN. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. IRWIN. In view of the fact that Scott Field is the largest lighter-than-air port in the United States, and in view of the fact that the gentleman says that this matter of lighter-than-air ships is in an experimental stage, does he feel that it would be proper to abandon this particular field, which is the greatest field in the country at the present time?

Mr. LAGUARDIA. That is but one of the details. I am never very much concerned and I can not get very much excited over the location of a field or barracks or experimental station. I always look at these things from a broad national viewpoint; it is a matter of indifference to me whether the field is at Scott Field or anywhere else, and I say that in due deference, because I believe the gentleman is entirely within his right in urging the particular field in his district.

Mr. IRWIN. I would say the same thing after the Government of the United States has expended millions of dollars there.

Mr. LAGUARDIA. I am interested in the proposition in its broadest sense.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JAMES. Mr. Chairman, it is not the intention of the Air Corps to abandon either the balloons or airships. I had the matter up with both General Fechet and Mr. Davison. I have a similar letter from each and with the permission of

the House I shall extend my remarks by inserting these letters at this time:

JANUARY 5, 1929.

HON. W. FRANK JAMES,

*House of Representatives, Washington, D. C.*

DEAR MR. JAMES: With reference to your letter of December 14 concerning Scott Field, I am inclosing a communication which is identical with a letter which I understand Mr. Davison has already forwarded to you.

Sincerely yours,

J. E. FECHET.

*Major General, Air Corps, Chief of the Air Corps.*

JANUARY 3, 1929.

HON. W. FRANK JAMES,

*House of Representatives, Washington, D. C.*

DEAR MR. JAMES: With reference to your letter of December 14 concerning Scott Field, the following data has been compiled:

a. Scott Field was established June 14, 1917; the land being leased by the War Department from that date until 1919, when it was purchased for \$119,485.84. The area is approximately 626 acres.

b. Scott Field was first established for the purpose of primary heavier-than-air training.

c. Amount of appropriations: Permanent improvement, including original cost of land to June 30, 1928, approximately \$3,561,056.67.

d. At present the Air Corps has located at Scott Field a balloon and airship school which has been suspended for the present fiscal year due to various causes. During the suspension of school activities the airship companies are operating as tactical organizations.

Inclosed is a copy of the recommendations made by me to The Adjutant General concerning the future of lighter-than-air. There is no intention of abandoning Scott Field. In war time this field will be the center for lighter-than-air training and the mobilization center for lighter-than-air organizations.

Sincerely yours,

J. E. FECHET,

*Major General, Air Corps, Chief of the Air Corps.*

[First indorsement]

WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF THE AIR CORPS,  
Washington, D. C., October 6, 1928.

To: The Adjutant General, Washington, D. C.

In compliance with basic communication the following report is submitted. The report follows, in general, the form and captions as outlined in above-mentioned letter.

1. It is the opinion of this office that lighter-than-air craft are of great value and are necessary to the Army in war and that their operations should be continued during peace time in order to prepare for war activities. Although balloon companies were rendered inactive in 1922, it was not because balloons were considered as no future use in war. Balloons have in the past, and will continue to be in the future, the most efficient and effective means of observation of artillery fire and surveillance of limited areas when the ground observer is unable to properly function. It is readily seen that a balloon company, in peace time, although a very valuable asset as a training school for officers as well as for use in conjunction with ground troops, is not as necessary or important as heavier-than-air activities. With the limited appropriations available and the small size of the Army there are other activities which are of much more importance. It was necessary to curtail certain activities and it was believed to the best interest of all concerned that the balloon companies should be the ones to suffer. However, it is believed that balloons should again be used for work with the railroad artillery at Fort Eustis, Va., with the Field Artillery School at Fort Sill, and possibly for use with the Second Division at Fort Sam Houston, in addition to other stations where it is desired that they cooperate with other arms. Their war-time function has not ceased or been changed. They are still considered our best means of observation in their particular line.

The development of the larger airships has been undertaken by the Navy as a result of an agreement between the members of the Joint Army and Navy Board with the understanding that when a satisfactory airship had been designed and tested that it would be available for the Army. In consequence very little, in fact no, experimenting had been done by the Army in the larger types of rigid airships. Although it is the opinion of this office that dirigibles will undoubtedly play a large part in the next war, especially in the transportation of personnel and supplies, nevertheless the Army is unable to carry out experiments and tests by virtue of the aforementioned agreement. However, the *RS-1*, a small semirigid airship, has been constructed by the Army at Scott Field, Ill., and considerable experimenting has been carried on with this particular type. Curtailment of funds prevent more thorough and exhaustive tests.

It is apparent that for coastwise patrolling the airship is a most valuable adjunct. The type now present in the Army is entirely too

small for this purpose, and it is believed that the type developed by the Navy—that is, the *Los Angeles*—is too large. Therefore, considerable experimenting will have to be undertaken before this question can be definitely answered. However, the large airship affords great possibilities as a means of transporting limited personnel and supplies to reinforce our foreign possessions at the outbreak of war.

#### A. BALLOONS

(1) Free balloons: The free balloon is an instrument of training only. All types of lighter-than-air craft may at times become free balloons and must be operated in accordance with the laws of aerostatics. This is true of the captive observation balloon, should its cable break, and of the airship when the engines cease to function. It is, therefore, essential that the preliminary training of all pilots of lighter-than-air craft begin with training in free ballooning.

(2) Balloon, observation: The observation balloon, as its name implies, is a means of effecting aerial observation for the benefit of ground troops. It proved very effective during the last war, and is still considered an excellent method of observation for the adjustment of most types of artillery fire and the surveillance of certain areas of active operations. Because of the ability of the observer in the balloon to give his complete attention to the examination of his sector and because of the direct two-way telephonic communication available, the observation balloon provides an excellent method of carrying out general observation, command, and liaison missions over a limited area. The observation balloon should always be used in lieu of heavier-than-air craft, provided it can fulfill the mission. All balloon companies were placed on an inactive list by July, 1922. As a consequence, there has been little development of the observation balloon and the training and technique pertaining thereto since that date. The peace-time activities are covered in paragraph 1 above.

#### B. AIRSHIPS

The airship is used strategically or tactically in a situation favoring its employment as a complement or replacement of the airplane. Such conditions are cloudy or inclement weather, long-range operations by the aerial situation, and situations wherein the peculiar characteristics of airships make it a suitable agency for use in conjunction with or in lieu of heavier-than-air craft. The characteristics of the airship can be stated as follows:

##### (1) POWERS

- (a) Ability to cruise for long periods of time.
- (b) High percentage of useful load with a continued increase of percentage of useful load with an increase in size.
- (c) Ability to navigate accurately under conditions of poor or no visibility.
- (d) Ability to hover for extended periods at high ceiling or in lower altitude.
- (e) Ability to "free balloon" during engine trouble or for the purpose of effecting surprise.
- (f) Ability to fly in fog, clouds, and other kinds of inclement weather with less hazard than airplanes.
- (g) Superior facilities and conditions for two-way communications due to greater weight-carrying capacity.

##### (2) LIMITATIONS

- (a) Vulnerability. This characteristic will always remain with the lighter-than-air equipment until their speed will equal or surpass that of aircraft or until some means are effected of permitting the protection by either airplanes or machine-gun fire or possibly a combination of both. The vulnerability from fire caused by incendiary bullets or from explosion of its gases has been overcome by the use of helium.
- (b) Comparative slow speed.
- (c) Limited ceiling of the nonrigid and semirigid types.
- (d) The difficulty of handling while on the ground. This difficulty is being lessened by the added use of mechanical appliances.

##### (3) MISSIONS

The airship is particularly well adapted to perform coastal and observation missions in coast defense, especially in those sectors where a landing in force is not probable but where raids may be expected. It is unlikely that there will be sufficient airplanes available for employment in such sectors in a major war.

The efficiency of such as are available can be greatly increased by operating them in conjunction with patrol areas which will perform much of the reconnaissance duty at ranges greater than can be covered by heavier-than-air craft. Airships in such employment will be able to spot hostile submarines to greater advantage than airplanes because of their ability to travel at much slower speed and, consequently, conduct a more thorough search. Airships can destroy submarines by bombing the same as by heavier-than-air craft. The ability to travel at slower speeds make the airship useful in inspecting friendly mine fields. Another employment mission for airships is in situations such as those present at the Panama Canal and the Hawaiian Islands where attack is likely to take the form of occasional raids, particularly from the air. It is believed that the airship can do much of the aerial patrolling, patrolling ranges greater than the radius of action of heavier-than-air equipment.



## (4) AIRSHIPS, PRIMARY TRAINING

The function of the training type airship is to provide instruction in flying and in the principles of flight of lighter-than-air craft supplied with power. A small airship is used to furnish this necessary primary instruction.

## (5) AIRSHIPS, OBSERVATION

Airships for observation will be of several different sizes, depending upon the type of observation work required. It is possible that there is a definite place for a small airship so equipped and rigged that it can be flown to a particular location, anchored by means of a cable and operated as a captive balloon. Such an observation airship could supplement a captive observation balloon to a certain extent. The large size airship will be required for observation missions at great distances or during weather in which it is impracticable for heavier-than-air craft to operate.

## (6) AIRSHIPS, PATROLLING

The function of the patrolling airship is that of furnishing continuous patrol over large stretches of border area, sea area, or seacoast. Such an airship, by virtue of its ability to remain in the air for long periods, can furnish an effective and continuous patrol. The size of the airship will be dictated by the distance to be flown, frequency of patrols, and altitude required. The ability of the airship to hover over a given point for detailed observation and to remain on patrol for a long period with a small crew and without great apparent hardship or fatigue on the crew gives to this type of craft a distinct advantage for patrol over long stretches or over great areas.

## (7) AIRSHIPS, CARGO

Although there has not been a great amount of work done along this line, nevertheless it presents great possibilities and undoubtedly in future wars will play an important rôle. It can be visualized that the day is not far distant when it would be possible to send a pursuit group by lighter-than-air craft from the Pacific coast to Hawaii. It also has possibilities as a means for the evacuation of the sick and dangerously wounded to bases in the zone of the interior.

It is believed that further experiments will disclose a very important rôle for this type as a medium of transportation for personnel and supplies from base depot to advance depot; points in the zone of interior to points in the communications zone; method of rapidly reinforcing our foreign possessions, particularly Panama and Hawaii, and like uses.

a. Present equipment: The Nineteenth Airship Company now maintains in commission two airships of the TC type. The equipment of Scott Field consists of three TC type airships and two of the TA type, together with the necessary spares. These are used for training purposes. There are also at Scott Field, undergoing service test, airships of the TE and TF types. The TE type is intended, if satisfactory, to replace the TA type for training purposes. The RS-1 is also in commission at Scott Field.

The present lighter-than-air organization is as follows:

Station	Organization	Enlisted strength
Langley Field, Va.	Nineteenth Airship Company	120
Scott Field, Ill.	Eighth Airship Company	116
Do.	Ninth Airship Company	117
Do.	Twelfth Airship Company	123
Do.	Twenty-fourth Airship Service Company	100

The Air Corps 5-year program provides that with the second increment of personnel which was to be made on July 1, 1928, the Eighth, Ninth, and Twelfth Airship Companies, at Scott Field, Ill., be brought to an enlisted strength of 130 men each, and that the Sixteenth Airship Company be organized with a strength of 130 men.

To date none of these increments have been added, nor has the Sixteenth Airship Company been organized.

b. Balloons: The 5-year program should be carried out as approved except that two captive balloons be temporarily furnished each Airship Company in addition to their present equipment as soon as the equipment is available and hangar space can be obtained.

## AIRSHIPS

The 5-year program which is now being carried out should not be materially changed, and the airship policy, increase in personnel, equipment, etc., should be followed as given in this program except for such minor changes and modifications as are necessary from time to time.

c. In order to carry out the recommendation in paragraph b (balloons) above, it will be necessary to determine the actual amount of equipment necessary—i. e., balloons, balloon winches, etc.—before a comprehensive statement can be furnished. Inasmuch as the Budget hearings for the 1930 fiscal year are already under way, it is thought proper to thoroughly study this matter and include the funds necessary in the 1931 estimate rather than attempt to hurry the matter and include the items in the 1930 fiscal year funds. A study covering this proposed change will be immediately undertaken and definite recommendations will be furnished your office at the earliest possible date.

As previously stated, the cessation of balloon activities and curtailment of activities is not as a result of the premise that they had little or no place in the scheme of national defense but was required in order to keep the Air Corps funds within the limit prescribed and at the same time carry out the best heavier-than-air program possible. A study of the appropriations in the past few years will disclose the fact that funds for lighter-than-air activities have continually diminished until the point was reached in the 1930 fiscal year funds when nothing was included. It is proposed to include funds for this branch in the 1931 fiscal year appropriation and gradually bring back into being a well-balanced and active lighter-than-air component.

d. The Air Corps Balloon and Airship School had been rendered inactive for the fiscal year 1929 per third indorsement, Adjutant General's Office, September 12, 1928, file A. G. 352, A. C. Bln. & Airship Sch. (8-28-28) Misc. (C).

J. E. FECHET,

Major General, Air Corps, Chief of the Air Corps.

The amendment offered by the gentleman from Illinois [Mr. IRWIN] would not make any difference either way, whether you adopt it or reject it, because if you will read the rest of the paragraph you will see that it has already been allotted to different places.

Mr. IRWIN. Mr. Chairman, will the gentleman yield?

Mr. JAMES. What the gentleman should do, as I advised him, is, instead of adding \$250,000 to this bill, to go to the Director of the Budget and get a supplemental estimate and have it come up in the deficiency appropriation bill, and get it in that way.

Mr. IRWIN. I am not asking for an appropriation. I am asking that this language be cut out in this amendment prior to asking for an appropriation later. I am just asking that this proviso be cut out—that is, the whole amendment—because I feel it is a discrimination, and if we want to continue lighter-than-air activities I do not think we ought to discriminate against this field at this time. I am not asking for an appropriation now, but I expect to later.

Mr. JONES. If the gentleman from Michigan will yield for a question in reference to the program he is reading. I notice on page 34 this bill carries this proviso:

No part thereof may be expended for the production of lighter-than-air equipment.

Will not that language, if it stays in, prevent the use of any money provided in this bill for construction of lighter-than-air equipment?

Mr. JAMES. For the present year; yes.

Mr. JONES. Let me ask this question: What about the reconditioning and remodeling of the RS-1, which they claim has depreciated? I understand they desire to recondition, remodel, and recover the RS-1, and I wondered if this clause here would not prevent that being done?

Mr. TABER. This has nothing to do with anything whatever of the regular Air Service appropriation. It simply relates to the construction of barracks and quarters.

Mr. JONES. I understand that, but I call attention to the language on page 34 and ask if that prevents them from going ahead with lighter-than-air matters?

Mr. TABER. No—

Mr. JONES. "For experimental and research work with airplanes or lighter-than-air craft."

Mr. TABER. It does prevent the building of lighter-than-air craft with any of the money, but does not—

Mr. JONES. It says here "and their equipment, experimental, and research work."

Mr. TABER. No; it says lighter-than-air equipment, and that means new and not replacement or reconditioning or recovering. It means the construction of new equipment.

Mr. JONES. To follow it up it says here that no part thereof may be expended for production of lighter-than-air equipment. Would that in any way prevent the reconditioning or remodeling or recovering of a ship they have now on hand?

Mr. TABER. Not reconditioning or repair of that which they have on hand.

Mr. JONES. Then it was not the intention of the committee in putting this language in any way to interfere with the program of remodeling and recovering the RS-1 should they decide to do so?

Mr. TABER. Not at all.

Mr. JONES. That could be undertaken notwithstanding that provision?

Mr. TABER. Yes.

Mr. COCHRAN of Missouri. I referred to that in my remarks, and I had an amendment prepared to strike out that language, but in view of what was stated by the chairman I thought it advisable not to offer it.

Mr. JONES. I have prepared an amendment but in view of the assurances received I shall not offer it.

Mr. SCHAFER. Mr. Chairman, I move to strike out the last two words for the purpose of obtaining information. After listening very carefully I could not but reach the conclusion that that proviso means nothing according to the committee. It makes no difference whether it is stricken out or left in the bill.

Mr. TABER. I would say if it was stricken out it would not mean the construction of these barracks.

Mr. SCHAFER. If this proviso is stricken out, will the War Department have authority to use any of the appropriation for that particular field?

Mr. TABER. No.

Mr. SCHAFER. Then it does not mean anything, and I do not think the House should adopt the policy of putting language in a bill that does not mean anything.

Mr. BARBOUR. The appropriation was in the bill last year, and it is rewritten in the bill this year. There is no Budget estimate for it. In all probability the War Department would not use any of it for Scott Field, there being no Budget estimate for it in connection with this bill. But they probably would have a right to do it if they undertook to do it deliberately. They could use some of this money for Scott Field, but I do not think there is any probability that they will do it.

Mr. SCHAFER. Then why not strike it out? If you add two or three lines of language to this bill and two or three lines of language to another bill, lines of language that do not mean anything, it adds to the expense of printing, to say the least.

Mr. DYER. It would be economy to strike it out?

Mr. SCHAFER. Yes. However, I think there is something deeper in this proviso than appears on the surface. If this proviso is left in the bill, I venture to say that in the future should the gentleman from Illinois request the Budget to approve appropriations for this field that he will be told that they will not be approved because Congress by adopting the proviso had indicated a policy against further appropriations for this field.

Mr. IRWIN. The language of this bill specifically prohibits the War Department from using it at all. There might be some contingency arising whereby they might have occasion to use some of the money, and therefore I am objecting to this proviso.

Mr. SCHAFER. I think the gentleman's amendment is proper. The House should adopt it by an overwhelming vote.

Mr. JAMES. Did not the Budget send an estimate of \$100,000 last year, which was reported by your committee and which was passed by the House and stricken out by the Senate?

Mr. BARBOUR. This is what happened: This language provides that none of this money shall be used at Scott Field. That was the action of Congress in the 1929 act, and it will be the action of Congress if this bill carries this language. Last year it was ratified and adopted by both Houses.

Mr. DYER. No matter what the necessities may be as they arise, they could not use any of this money for this purpose?

Mr. BARBOUR. In view of the status of lighter-than-air ships in the Army, I think we should have this language until some definite decision is made by the Army as to what the policy shall be. A new helium plant is being constructed at this time down at Amarillo, Tex. The Navy is providing \$8,000,000 for its experimental work in connection with lighter-than-air ships and the Army will carry out its policies at the present time. In view of the activities of the Navy there is no reason why the two branches of the Government should be experimenting along the same line and spending perhaps twice as much money as may be necessary.

Mr. IRWIN. The reason why I press the amendment is that if there should be a contingency arising the Government could not spend a dollar on this project. That is the reason why I want the language eliminated. Something might turn up in 12 months by which you might want to do some building. Therefore I think the War Department ought not to be hampered by this language.

Mr. BARBOUR. The War Department does not feel that it is hampered. They are not interested one way or another.

Mr. HILL of Alabama. We might have a fire out there or something of that kind.

Mr. BARBOUR. Yes; and then the matter could be reached in a deficiency bill. We have fires at Army posts off and on, and they are always taken care of. We had one at Fort Sill a year or so ago.

Mr. HILL of Alabama. And one the other night at Bolling Field.

Mr. BARBOUR. Yes; they have had several over at Bolling Field. They are taken care of.

Mr. IRWIN. After Congress adjourns there might be a fire, and we could not then appropriate money for Scott Field.

Mr. BARBOUR. Then we might have an extra session.

The CHAIRMAN. The time of the gentleman from California has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. SHREVE. Mr. Chairman, I want to interrogate the distinguished gentleman from Texas [Mr. LANHAM]. When I came into the Chamber one gentleman was speaking of the helium situation.

Mr. LANHAM. Did the gentleman understand me to say there was not enough helium?

Mr. SHREVE. Yes.

Mr. LANHAM. The gentleman misunderstood me. I think there is sufficient helium, and I contend further that, if we reduce our operations in lighter-than-air craft, the new plant at Amarillo, Tex., with its possible production at a very low cost, will produce more helium than the available ships can take.

Mr. SHREVE. I am glad to have that statement. The committee having charge of the matter was desirous of furnishing all the helium required by the Army and the Navy, and we really made another appropriation and set aside \$500,000 more to be used at the discretion of the President.

Mr. LANHAM. I commend the committee and the gentleman's activity in that regard. We have plenty of helium, and the means are available for producing helium, and all we are concerned about now is to have the proper airships into which to put that helium.

Mr. HOWARD of Oklahoma. Is it not a fact and does not the evidence show that there is much helium going to waste in gas fields in which the plants being operated by the Bureau of Mines are not located?

Mr. SHREVE. Yes; and we have been giving that consideration. What we are endeavoring to do now is to secure a great area of land that the Government will own where helium will be produced as found necessary and where there will be no leakage and wastage.

Mr. HOWARD of Oklahoma. What I am driving at is to have a little more conservation, for the reason that I know in the Osage Nation, in my district, there is a certain percentage of helium in the gas, every bit of it, and it is going to waste, and in addition to producing helium in a Government plant I was wondering whether or not your committee had given consideration to the question of conserving that which is being destroyed.

Mr. SHREVE. I will say we are making a study of the whole helium-bearing section, with the idea in mind of determining just what eventually should be done in the matter.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

Mr. O'CONNELL. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk again reported the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. IRWIN) there were—ayes 34, noes 21.

So the amendment was agreed to.

Mr. BYRNS. Mr. Chairman, I move to strike out the last word. I do so, Mr. Chairman, for the purpose of asking for a little general information relative to the item in connection with the construction of military posts. I think everyone has recognized for some time that there was a very urgent need for the construction of proper barracks or military posts in order to provide comfortable and sanitary quarters for our troops. I wonder just to what extent the War Department has proceeded in the way of the construction of barracks. In other words, what percentage of the work has been accomplished or will be accomplished with the appropriation carried in this bill?

Mr. BARBOUR. Was that question directed to the gentleman from California?

Mr. BYRNS. Yes; I ask for that information from the gentleman from California who, of course, is fully advised on the subject.

Mr. BARBOUR. I will say to the gentleman from Tennessee that in the report on the bill, page 10, there is a statement showing the construction that will be undertaken under this appropriation. It shows all of the various posts at which moneys will be spent under this appropriation for permanent construction, the character of the construction, and the estimated cost of each building.



Mr. BYRNS. That does not give the information I wanted. This program covers a period of years. When is all this work to be completed, how much has been expended up to this time, and how much is it contemplated will be expended?

Mr. BARBOUR. I will state to the gentleman from Tennessee that the money carried in this bill, together with the contract authorization of \$3,000,000, carries the amount that will be provided in 1930 up to almost \$40,000,000.

Mr. BYRNS. That will have been appropriated if this appropriation is made?

Mr. BARBOUR. Yes; including the items in this bill. Their whole program of permanent construction at posts amounts to something over \$100,000,000. There is in the hearings a table showing the status at the present time of every project for which we have made appropriations heretofore. The statement in the report shows the posts at which the money carried in the 1930 bill will be expended and the character of the buildings which will be erected. There is a statement in the hearings showing the status at the present time of each of the buildings heretofore appropriated for, some practically completed, others in course of construction and some for which they are preparing plans and specifications. Now, as to the results that have been accomplished by this building program—and I think that is what the gentleman from Tennessee is interested in—I will say that the sum carried in the 1930 bill, plus the contract authorization of \$3,000,000 carried in this bill and prior appropriations will make provision for 23,798 enlisted men, 797 noncommissioned officers, 727 officers, 1,408 hospital beds, and 192 nurses.

Mr. BYRNS. The gentleman says \$40,000,000 will have been appropriated and that it will require more than \$100,000,000 to complete the program. Does that mean in addition to the \$40,000,000?

Mr. BARBOUR. As I understand it that is the estimate of the War Department for the complete housing program.

Mr. COLLINS. If the gentleman will yield, I think the figures show that the total building program will be around \$200,000,000.

Mr. BYRNS. That appears to me to be quite a sum.

Mr. BARBOUR. I will state to the gentleman from Tennessee that that has not all been authorized as yet.

Mr. BYRNS. It has not been authorized?

Mr. BARBOUR. No.

Mr. BYRNS. I was just wondering as to the character of these quarters.

Mr. BARBOUR. They are modern buildings, very well constructed, with all the latest improvements in the way of sanitary plumbing and things of that kind. They are buildings in which they take into consideration the surrounding landscape and they are appropriate to the particular location. They are very fine, comfortable buildings, and well constructed.

Mr. BYRNS. I think everyone wants to see these buildings provided in a manner that will be comfortable, sanitary, and architectural to a certain extent.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. BYRNS. If we are going to proceed with a plan that will involve \$200,000,000 in the construction of these quarters, that is a greater sum than I anticipated would be necessary, and I have wondered just how much of that is being spent in providing large and handsome homes for major officers, so to speak.

Mr. BARBOUR. I would state to the gentleman from Tennessee that, so far as the officers are concerned, they have a fixed price for officers' quarters, \$14,500 for an officer with the rank of major or above and \$12,500 for captains and lieutenants. There was a limitation of less than that up until a short time ago, and an act was passed by Congress increasing the amount of the officers' quarters, because it was found they could not build satisfactory quarters with the former amount that was permitted by law. So we increased it about \$2,000 on each class of quarters.

Mr. BYRNS. Let me ask the gentleman this question: Are these posts being constructed under what might be called one general plan, or are we having a different plan and different kind of construction and architecture for each post as it is being built?

Mr. BARBOUR. There is a general plan to a certain extent, depending upon the use or the character of the building, for instance, whether barracks or officers' quarters. The plans are modified to meet the climatic conditions of various sec-

tions of the country. For instance, in the northeastern section of the country they have one type of building.

In California we are told that they are building their barracks of the Spanish type of architecture with tiled roofs and other characteristics of the Spanish type. In the southern section of the country I understand they are using the so-called southern type of architecture, and in the other parts the old Colonial type.

Mr. BYRNS. The gentleman knows that some of us for years contended with reference to the construction of buildings for post-office purposes that there should be a general type adopted for buildings that were to cost something like the same amount and cut out so much expense for architects and for other professional services. Since they are paid upon a percentage basis, it costs a great deal to secure these professional services. The Treasury Department, as I understand, for some years has been conforming to this idea. Now, why carry in this bill continually a provision making it possible to expend unnamed and unknown sums for architects and professional services and things of that sort. It seems to me a great deal of money could be saved by adopting some general type or form for these barracks. We could at least save a little of this \$200,000,000 that is going to be expended for this very worthy purpose. I am not criticizing the purpose for which the money is being expended.

Mr. BARBOUR. We went into that matter with the Quartermaster General, and General Cheatham stated to the committee that they only employed architects in very rare instances. Most of the work is done by the architects of the Quartermaster Corps. There are cases where they like to have their building plans, when completed, looked over by an architect who is located in that particular section of the country and is familiar with conditions there and have possibly some suggestions made which would be valuable. The purpose of carrying this provision in the bill is to permit them to do that. We are told by the Quartermaster General that only in rare cases do they employ these architects. Most of the work is done by their own architects.

Mr. GREEN. Mr. Chairman, I move to strike out the last two words.

I would like to have the attention of the chairman of the subcommittee a moment. I have a telegram from Florida's adjutant general of our National Guard relative to the appropriation for that service, and I would like to know how the appropriation in this bill compares with the one we passed last year; is the appropriation for this purpose as liberal or more liberal?

Mr. BARBOUR. I will state to the gentleman from Florida that we are coming to that item later in the bill, and it is the expectation of the committee that there will be a full and free discussion of it, as much so as is possible, having due regard to the time available.

Mr. GREEN. Does this bill provide a sufficient appropriation for the National Guard, and is it as much as the appropriation last year?

Mr. BARBOUR. The total appropriation for the National Guard is larger than it was last year. I have in mind the matter that the gentleman from Florida refers to and I understand that an amendment will be offered on the floor, and it is our purpose to go into the matter fully at that time.

Mr. GREEN. I appreciate the information and would like to say that it is our desire to ably and well take care of this item.

Mr. LINTHICUM. I want to join in the sentiment of the gentleman from Florida. I understand there will be an amendment of some \$400,000 additional, will there not?

Mr. BARBOUR. The committee is not going to offer it. All we have to go on is the report that we hear. We have not seen the amendment. We are getting our information from telegrams coming to the Members of Congress from various sections of the country.

Mr. LINTHICUM. The National Guard feels they should have about \$400,000 more than is provided in the bill, does it not?

Mr. BARBOUR. I would not say that the National Guard feels that way although some persons connected with the National Guard are urging increased appropriations for one or two items. I will say to the gentleman from Maryland, as I stated to the gentleman from Florida, that we are going into the matter fully at the proper time.

Mr. GREEN. We trust the committee will look with favor on this amendment and help us to adopt it. Our National Guard serves a great purpose and is ready to rescue in disaster, danger, or peril, and I want it well provided for.

Mr. BARBOUR. We will present the views of the committee in regard to the matter and I presume that the gentlemen offering the amendment will present their views. It is an item that we are going to reach later in the bill.

Mr. LINTHICUM. I was hopeful the committee would give the matter consideration in advance so they would not oppose us.

Mr. BARBOUR. The committee has already given careful consideration to all these items.

Mr. LINTHICUM. Is there not some money that might be reappropriated?

Mr. BARBOUR. We considered all those matters. I might say to the gentleman that I think we will be able to show that the National Guard is being pretty well taken care of by this bill.

The pro forma amendment was withdrawn.

The Clerk read as follows:

#### BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings and grounds for military purposes and lodgings for recruits and applicants for enlistment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, and disposal of sewage, \$11,648,041: *Provided*, That not more than 19 procurement-planning offices may be maintained during the fiscal year 1930, and not more than 1 such office may be maintained in any city. Where space was occupied in a public building on December 31, 1928, wholly or in part for procurement-planning work, no appropriation contained in this act shall be available for renting space for procurement-planning work in a city where such public space was so occupied: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That not exceeding \$100,000 shall be available immediately for the procurement of fuel for the service of the fiscal year 1930.

Mr. WAINWRIGHT. Mr. Chairman, I move to amend by striking out the proviso appearing on page 36, between lines 12 and 20.

The Clerk read as follows:

Amendment by Mr. WAINWRIGHT: On page 36, line 12, after the figures, strike out all down to and including the word "occupied," in line 20.

Mr. WAINWRIGHT. Mr. Chairman and gentlemen of the House, this proviso sought to be stricken from the bill refers to the industrial procurement planning by the Assistant Secretary of War.

I took occasion yesterday, in discussing an amendment I offered, also curtailing, or seeking to curtail, the activities of the Secretary of War in regard to the number of officers that may be assigned to him, to explain the importance of this work. The Assistant Secretary of War, by virtue of the duty cast upon him by section 5-A of the national defense act, is seeking to fulfill his duty to assure adequate supplies, matériel, and industrial organizations for war-time needs, namely, for the event of another war. It is a tremendous task. The duty was cast upon the Assistant Secretary of War as the result of our experience in the Great War, where we all know the tremendous delay and extravagance and the enormous dislocation of industry that then ensued from our having no plan or made any provision for procuring necessary supplies. This responsibility that is cast upon him relates to planning to take care of the purchase of supplies that may run into billions of dollars. In the late war we know they ran into sums way over twenty billions of dollars. Think how much less the burden of expense of that war might have been had we made some such provision.

As was brought out yesterday, the entire expense of the Assistant Secretary of War is incurred in connection with this planning, outside of the salaries of the Regular Army officers, and is less than one-quarter of a million dollars.

It is manifest that the work must be done throughout the country where the supply services of the Army are located. That requires office space in many places.

What is this proviso? That there shall be not more than one office in any city where these procurement planning activities are carried on; that in any city where at the end of the last fiscal year an office for such work was being maintained in a public building, thereafter from now on no office can be maintained in any other than a building or office space rented.

That means that if the Assistant Secretary of War has an office in connection with the bureau of engineers, where plan-

ning in regard to what might be engineers' supplies in case of war, or with the Quartermaster General's Department for quartermaster supplies, he will be prohibited from having any other office in that city for his planning activities for the other services, even though those other services may have their own separate offices; that is to say, that all the planning activities of the Assistant Secretary for all the several services must be crowded into one office.

Now, it is as unreasonable to expect that all of the activities should be crowded into one office as it would be to require that all of the services could be combined into one service. So far as the second part of the amendment is concerned, namely, that where he is now in a public building, he can never be located in any other than a public building. Suppose, as may be the case, the engineer office that supplies planning is in a public building. If he was crowded out of the building, if it had to leave that office for any reason, if it was torn down, the result would be that, even during the time another public building was being erected, he could never thereafter have rented space anywhere else.

The aggregate they are expending for rent to-day is only \$15,000. I have a list here of 18 offices. They do not seem to be paying over \$800 in any one city.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WAINWRIGHT. I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WAINWRIGHT. To tie the Assistant Secretary down to any such restriction will result in a complete dislocation and curtailment of the work as at present being carried on and can not fail to be little short of disastrous.

I take occasion to again emphasize the fact that while we are providing to spend over \$400,000,000 in this Army appropriation bill it seems unreasonable to adopt a hampering clause like this, to obstruct and curtail this transcendently important activity of the Army, relating to the possible procurement of millions if not billions of dollars of supplies where we can, under a proper industrial plan, effect great economies in the event of another war.

I urge the committee to strike out this clause and not to hamper in this manner the present very efficient Assistant Secretary of War, who is doing his best, and a very good best, to meet the great responsibility cast upon him by law. A very small amount of money is involved. The economy that would be effected by this proviso would be far out of proportion to the great disadvantage of the Government in tying down this work in the manner proposed. I urge that this amendment be adopted and this proviso stricken from the bill.

Mr. CLAGUE. Mr. Chairman, I rise in opposition to the pro forma amendment. Under the present regulations of the Army they have 48 offices. Under the proposed plan of the bill we cut those offices down to 19. We do not take away from any city an office, but we are trying to place in these different cities where they have a number of different offices one main office, combining them into one. These offices all relate to the procurement planning of the United States Army. For instance, in the city of San Francisco they have an office for the ordnance procurement planning, and another one for the Quartermaster's Corps, another for the Air Corps, the Signal Corps, the Chemical Warfare, and also the Engineers—seven different procurement offices for the Army in that one city. All those offices should be combined in one. Those men are not there all of the time. Under this planning these officers go out to different manufacturing plants, and things of that kind, and it is a useless expense to have seven different offices where one will be sufficient. We are not taking away an office from any of the cities that have one. This is a matter of economy. There is no reason why, when there is more than one office in a city, they can not be combined into one office. We are leaving an office in every city that now has one. There are 19 cities which now have procurement offices for the Army, and under the bill it provides one office for each of the cities now having one.

Mr. WAINWRIGHT. I have here a list of offices, and in San Francisco there are only four.

Mr. CLAGUE. We have a list of offices also.

Mr. WAINWRIGHT. Not seven, but four, and there are more in San Francisco than in any other city. No other city appears to have more than three.

Mr. CLAGUE. We have a map here furnished by the War Department that shows that in the city of San Francisco they have seven. They have seven in the city of New York, and a large number in other cities, and all of these in Chicago, Cleve-



land, New York, and San Francisco, or anywhere else can be combined into one office in each city. It is time that we had some efficiency. I have a very high regard for the Secretary of War; he is a well-equipped member of the Cabinet, but it is about time that in many of these places where we are spending large amounts of money we have a little efficiency. I hope the amendment will not prevail.

Mr. LAGUARDIA. It is not the Secretary of War that shapes the policy. It is the General Staff. The Secretary of War and the Secretary of the Navy are simply rubber stamps.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

#### CONSTRUCTION AND REPAIR OF HOSPITALS

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, \$578,880: *Provided*, That no part of this appropriation shall be used for the construction of new hospitals.

Mr. HUDSPETH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HUDSPETH: On page 29, line 1, strike out "\$578,880" and insert "\$603,880," and add the following after the word "hospitals," at the end of line 2: "*Provided*, That out of this sum herein appropriated there shall be used \$25,000 for the construction of a veterinary hospital at Fort Bliss, Tex., on lands now owned by the Federal Government and not at present in use for military purposes."

Mr. BARBOUR. Mr. Chairman, I reserve the point of order.

Mr. HUDSPETH. Mr. Chairman, I ask that the following letter from the Surgeon General of the Army be read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,  
OFFICE OF THE SURGEON GENERAL,  
Washington, December 19, 1928.

Hon. C. B. HUDSPETH,

House of Representatives, Washington, D. C.

MY DEAR MR. HUDSPETH: It was gratifying to me to have your inquiry of December 15 with reference to the need of a veterinary hospital at Fort Bliss. I have personal knowledge of the inadequacy of the veterinary hospital arrangements at Fort Bliss, which are a makeshift and of a temporary nature.

Since Fort Bliss has a larger number of mounted troops than any other station in the Army, it is my opinion that they are entitled to the modern veterinary hospital building and equipment, as provided in blue prints and specifications on file in this office and approved by the construction division of the Quartermaster General's office. An up-to-date veterinary hospital of a size to provide accommodations at Fort Bliss is estimated to cost approximately \$25,000.

A necessary adjunct to the proposed hospital is an isolation ward to be used for the purpose of isolating animals suffering from contagious diseases, and especially for the purpose of isolating newly purchased remounts from the animals of the garrison, and it is estimated that this building will cost approximately \$10,000. Such construction has been carefully considered, and while these buildings will provide adequate hospital facilities for the animals at Fort Bliss under normal conditions, it is believed that nothing less would suffice.

More than a year ago the veterinary division and the supply division of this office made an effort to procure a small but efficient veterinary hospital for Fort Clark, Tex., and we thought that we were about to get it, when it was discovered that the money appropriated for construction and repairs was interpreted as being for "repairs" only. It therefore will be necessary to have a sufficient sum of money appropriated for the specific purpose of such construction at Fort Bliss; and inasmuch as this office is strongly in favor of this much-needed improvement, we will render every assistance possible that you may desire.

I am very much obliged to you for your interest in this matter; and with the season's greetings for you and your family, believe me,

Very sincerely yours,

M. W. IRELAND,

Major General, the Surgeon General.

Mr. HUDSPETH. Mr. Chairman, I trust that my friend from California will not insist upon his point of order. This sum is recommended by the Surgeon General of the Army. This post at Fort Bliss is the largest Cavalry post in the United States. They have 5,000 or 6,000 cavalry horses there. Their loss every year from disease which this hospital would prevent is much greater than the sum we are asking for.

Mr. BARBOUR. I shall be compelled to insist upon the point of order because there has been no authorization for this construction. We can not appropriate in this bill for a building not authorized. The proper procedure would be to have a bill introduced and referred to the Committee on Military Affairs and have the construction authorized, then the appropriation will follow.

Mr. HUDSPETH. The appropriation here, under the heading I seek to amend, is, "For construction and repair to hospitals."

Mr. BARBOUR. That means those that have already been authorized by law.

Mr. HUDSPETH. This would be an adjunct. I take it that it would be a continuing project, according to the language used by the Surgeon General.

Mr. BARBOUR. We have in this bill over \$17,000,000 all together in appropriations and authorizations for new construction, all of which has been authorized by law. We have no right to include an item in the bill that has not been authorized by law. It is not that I object to the item, because I know nothing about it, other than what the gentleman has stated.

Mr. HUDSPETH. The Surgeon General states that they now have a makeshift hospital there. This is to construct an addition to that which has been held by various chairmen as a continuing project.

Mr. BARBOUR. If the conditions are as they are reported to be at Fort Bliss, it seems to me that it would be the duty of the War Department to ask for authorization to construct a veterinary hospital there.

Mr. HUDSPETH. As the gentleman will see by the statement there, they thought they had the funds to build this hospital in a former appropriation; but find that they could not use it because it did not provide for a specific hospital at Fort Bliss.

Mr. BARBOUR. The Military Affairs Committee is considering these authorization items all of the time, and the regular procedure would be to first get an authorization and then afterwards the appropriation would follow.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDSPETH. I am not going to take up the time of the committee, but my idea from the language of the letter from Surgeon General Ireland is that it is a continuing project, and therefore it is, as held by Mr. Towner when chairman of the committee—the gentleman will recall in reference to the land purchased at Leon Springs and El Paso—where he held that it was a continuing contract, and therefore it was in order. I think under that decision it is in order.

The CHAIRMAN. Has the gentleman any knowledge of an act of legislation authorizing the erection of a veterinary hospital at Fort Bliss?

Mr. HUDSPETH. No. There is a hospital, a makeshift, as General Ireland says. I think this project is a continuing project, but all the information I have is the letter from General Ireland. I know they have an old makeshift hospital.

The CHAIRMAN. Does the gentleman from California desire to be heard?

Mr. BARBOUR. Mr. Chairman, I understood from the reading of the amendment that it calls for the construction of a new veterinary hospital at Fort Bliss.

The CHAIRMAN (Mr. LEHLBACH). The Chair is ready to rule. The Chair does not think the construction of a new veterinary hospital at Fort Bliss, Tex., is in continuation of work on any project that is now in existence, a continuing project. As the Chair understands, it is not for the repair of an existing building but a new project, and therefore the Chair is constrained to sustain the point of order.

The Clerk read as follows:

AIR CORPS

AIR CORPS, ARMY

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; salaries and wages of civilian employees as may be necessary, and payment of their traveling and other necessary expenses as authorized by existing law; transportation of materials in connection with consolidation of Air Corps activities; experimental investigation and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, applications for letters patents, licenses under letters patent and applications for letters patent for the purchase, manufacture, and construction of balloons, and other aerial machines, including instruments, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purchases; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding 50 days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies, and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft, \$33,359,409: *Provided*, That not to exceed \$3,026,199 from this appropriation may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding \$50,000 may be expended for the procurement of helium, of which sum such amounts as may be required may be transferred in advance to the Bureau of Mines; not exceeding \$2,255,930 may be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, including the pay of necessary civilian employees; no part thereof may be expended for the production of lighter-than-air equipment; not exceeding \$3,267,000 may be expended for improvement of stations, hangars, and gas plants for the Regular Army and for such other markings and fuel supply stations and temporary shelter as may be necessary; not less than \$17,439,280 shall be expended for the production or purchase of new airplanes and their equipment, spare parts, and accessories, of which not to exceed \$2,250,000 shall be available for the payment of obligations incurred under the contract authorization for these purposes carried in the War Department appropriation acts for the fiscal years 1928 and 1929; and not more than \$6,000 may be expended for settlement of claims (not exceeding \$250 each) for damages to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War: *Provided further*, That the sum of \$25,000 of the appropriation for Air Service, Army, fiscal year 1927, shall remain available until June 30, 1930, for the payment of obligations incurred under contracts executed prior to July 1, 1927: *Provided further*, That section 3648, Revised Statutes (U. S. C. p. 1009, sec. 529), shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation: *Provided further*, That none of the funds appropriated under this title shall be used for the purpose of giving exhibition flights to the public other than those under the control and direction of the War

Department, and if such flights are given by Army personnel upon other than Government fields a bond of indemnity, in such sum as the Secretary of War may require for damages to person or property, shall be furnished the Government by the parties desiring the exhibition.

Mr. LA GUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 36, line 3, strike out the period, insert a colon, and add the following: "*Provided further*, That none of the money appropriated in this act shall be used for the purchase, maintenance, repair, or upkeep of any airplane after July 1, 1929, which is equipped or propelled by a Liberty motor or by any motor or airplane engine purchased or constructed prior to July 1, 1920."

Mr. LA GUARDIA. Mr. Chairman, the purpose of my amendment is to prevent the use of obsolete motors in new airplanes. We had after the war a large supply of Liberty motors. We have been using those motors ever since. Some of them have been remodeled and rebuilt, it is true, but they are not satisfactory compared with motors available to-day. Now you will hear from the committee telling us that they have had some understanding with the War Department that they would not put these old motors on new airplanes. I have just been informed accurately from authoritative sources down at Dayton that they do intend to put some of these old motors in new training planes. This is the year 1929—not 1919. There might have been justification for using the Liberty motors in 1917-18, but there is no justification in putting those motors in a plane in 1929 and 1930. We are appropriating \$17,000,000 for new planes, and, Mr. Chairman, it is not economy for us to buy new planes and put old motors in them. One forced landing and crash may cost the price of the plane. Surely that is not economy; and besides, if we are to make progress in aviation we must develop motor construction as well as plane construction. We have developed some very satisfactory types of motors in this country and should use them. The records which we have acquired in the last two or three years speak for themselves as to the progress made in motor development, so I want to urge the very serious consideration of my amendment. It so happens that the gentleman sitting on my left at this moment, the gentleman from Minnesota [Mr. MAAS], in flying from Langley Field last year in one of the up-to-date bombing planes equipped with three Liberty motors, had to make a forced landing, and it happens every day.

I know a great many of the flyers, some old in the service with me, with whom I have kept in contact; and I have not heard of one flyer in the Army Air Service who recommends the continued use of the Liberty motor in these new planes. And, gentlemen, it is not economy; quite the contrary. My amendment will be conducive not only to the development of motors but also conducive to the morale of the force. I know of no new planes and can not think of a solitary new plane sold to-day that uses the old Liberty motor. I hope my amendment will be approved.

Mr. BARBOUR. Mr. Chairman, the representatives of the Air Corps who appeared before the subcommittee at the hearings stated positively that they did not intend to use any of the money carried in this bill to build airplanes equipped with Liberty motors. It was stated to be the intention of the Air Corps not hereafter to equip any new airplane with Liberty motors, but simply to retain the Liberty motors they now have on hand for the replacement and repair of Liberty-motored planes.

Mr. LA GUARDIA. My amendment would not prevent that.

Mr. BARBOUR. That is the intention of the Air Corps. The only question that arises is the advisability of putting that language in the bill when the Air Corps does not intend to use Liberty motors in new construction anyway. I have no particular objection to the amendment down to the word "motor," and I would like to ask the gentleman from New York as to the effect of the following words, "on hand in airplane experiments since July 1, 1920"? Might not that prevent the use of a motor more recent and more highly developed than a Liberty motor in replacing motors already in planes?

Mr. LA GUARDIA. If it is since 1920, there is no such animal as the gentleman describes. There is no question about it.

Mr. BARBOUR. I repeat, Mr. Chairman, that the officials of the Air Corps stated positively that they did not intend to use the Liberty motors after July 1, 1929, and therefore there would be no reason for having this amendment in the bill.

Mr. TABER. Mr. Chairman, may I ask the gentleman a question?

Mr. BARBOUR. Yes.

Mr. TABER. This committee in its hearings and in its conduct right along has repeatedly urged the War Department not



to use the Liberty motors. We have their promise now, and their estimate is based on their leaving out the Liberty motors. It is all buttoned up. Why disturb it?

Mr. BARBOUR. Secretary Davison gave his opinion in regard to the use of Liberty motors when the gentleman from New York [Mr. TABER] asked him the question—

There is nothing provided in the estimates before us at this time for planes equipped with Liberty motors?

Mr. DAVISON. That is correct.

Mr. TABER. That is, for the construction of such new planes?

Mr. DAVISON. Yes.

Mr. BARBOUR. Take the planes that are equipped with Liberty motors, and the planes that will be reequipped with Liberty motors. Would you say those planes will be unsafe to use?

Mr. DAVISON. It is awfully hard to answer that question. I am perfectly willing to fly in them, and I do it a good deal, and so does General Fechet. But it is much safer to fly in machines with the modern motors. I do not see how you can get away from that relative proposition, or that relative question.

It was positively stated there and in other places in the hearings that they did not intend to use any more Liberty motors in new construction after July 1, 1929.

Mr. HUGHES. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. HUGHES. How recently have they used these old motors in these planes?

Mr. BARBOUR. In the current year, in training planes.

Mr. HUGHES. Does the gentleman think there would be any harm in adopting that amendment offered by the gentleman from New York in view of what has happened recently?

Mr. BARBOUR. There would not be any use in putting it in, because they are not going to use them anyway.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. MAAS. There are some 3,000 of these Liberty motors in the warehouse. We do not know what the attitude of a possibly different personnel in charge of aviation may be. I think it would be well to provide by law that there shall be no new planes equipped with Liberty motors. I see no objection to putting the amendment in the bill, because the temptation to use these 3,000 Liberty motors might be too great to be overcome.

Mr. BARBOUR. I do not think there is any danger or any intention or any possibility of their using Liberty motors in newly manufactured planes after July 1, 1929.

Mr. FURLOW. Mr. Chairman, I am informed that at the present time we have approximately 3,000 war-time Liberty motors in our warehouses, packed in grease. In order to make each motor available for use it costs the Government practically \$2,500. These Liberty motors were wonderful motors in their day, but progress has been made since their development, and we now find that age has weakened the cylinders and they rust very easily.

Now, then, in what position do we find the Government? It is using an obsolete, reconditioned motor for training purposes, and that does two things. It retards the development of motors, and it places the Air Corps in a position of supplying its fliers not with the best motor but with a motor that was good in its day, but which has outlived its purpose.

I think that Congress ought to establish its own policy with reference to these motors, and that policy should recognize that the Liberty has served its purpose. The testimony in 1926 was that these motors could well be sold at a dollar apiece and thereby save money to the Government in the long run.

I hope the amendment offered by the gentleman from New York will prevail and that this Congress will take this forward step in aviation.

Mr. HUDSON. Will the gentleman yield?

Mr. FURLOW. Yes.

Mr. HUDSON. Would these motors be apt to be sold by the department to others who are building planes?

Mr. FURLOW. I do not think they should be.

Mr. HUDSON. But under present regulations they could do it, could they not?

Mr. FURLOW. Yes; they could be sold.

Mr. HUDSON. Then unless this amendment is made of a broader scope you will imperil lives just the same as if you used these motors in Army planes?

Mr. FURLOW. I say junk them.

Mr. HUDSON. I think if they are not fit for use in Army planes they ought not to be used in commercial planes or anywhere else.

Mr. LAGUARDIA. I will say to the gentleman that there is no market for them.

Mr. MAAS. These motors lend themselves splendidly to conversion as marine motors and I do not think we should preclude the Government from selling them for some purpose, because they can easily be converted into good marine motors.

Mr. LAGUARDIA. My amendment would not preclude that. Mr. FURLOW. I think that can be taken care of, but I do not think they should be put out into the commercial field.

Mr. HUDSON. I think the language should be so safeguarded that they could not be used in any air service.

Mr. BARBOUR. Mr. Chairman, I would simply state that in view of the fact that the War Department has already gone on record as saying they practically favor this proposition the committee has no objection to the amendment.

Mr. COLLINS. Mr. Chairman, I do not think we are justified in saying what has been said about the Liberty motor. The report of Mr. Davison, Assistant Secretary of War, which has recently been issued, makes this statement:

The record made last year is worthy of recognition. The Air Corps flew 182,193 hours, or over 18,000,000 miles, with but 27 fatalities. This means 677,400 miles to each fatality, whereas the year before it was 327,600 miles per fatality.

And in 1926 it was less than that.

Then a question was asked as to the extent of the use of Liberty motors in 1928 as compared to their use in 1927, and he said that the number of Liberty motors used in 1928 was 1,000 as compared to 690 used in 1927.

Mr. HUGHES. Will the gentleman permit a question?

Mr. COLLINS. Yes, indeed.

Mr. HUGHES. Does not the gentleman think that was 1,000 too many for them to use?

Mr. COLLINS. If the number of fatalities was reduced, it seems to me it is an argument as to the usefulness still of the Liberty motor.

Mr. O'CONNELL. Who was the witness?

Mr. COLLINS. That was Mr. Davison, the Assistant Secretary of War in charge of aviation.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. HUDDLESTON. I should like to ask what percentage of the total number of motors in use during both periods were Liberty motors?

Mr. COLLINS. I can answer the gentleman only generally. The testimony only shows that a larger number of Liberty motors were used in 1928 than were used in 1927. Let us go on further. The Assistant Secretary was asked as to the number of fatalities in 1928 that were attributable to motor trouble, and he testified that only four fatalities were attributable to motor trouble. The fatalities were reduced in spite of the larger number of Liberty motors that were used in 1928 over 1927.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. BLACK of Texas. Did the Assistant Secretary of War state whether or not these four fatalities, which were due to motor trouble, resulted where Liberty motors were used?

Mr. COLLINS. No. He did not.

We have approximately 4,000 Liberty motors now on hand. This bill provides for the renovation of approximately 2,000 of them, and these Liberty motors are going into planes where the motors have worn out. They are not to be placed in any new planes and they are not to be used in any new planes. When a plane is bought we buy the motor that is in it and one additional motor, too. I do not find from the record any good reason why this Congress should put its stamp of disapproval upon a motor that is still useful and when the fatalities are growing less year after year with their use.

The Government has approximately 4,000 of these motors on hand now; they are good motors and they should be used.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. COLLINS. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. COLLINS. As I said, they are good motors and they are usable motors. General Fechet and Mr. Davison, on their trip to Panama, used one of them, and they testified they are constantly using them now. They do not recommend the installation of them in new planes, but they do recommend the renovation of about half of those that are on hand.

Mr. BLACK of Texas. Will the gentleman yield further?

Mr. COLLINS. Yes.

Mr. BLACK of Texas. If we adopt this amendment it will prevent, as I understand it, the Government from using those motors and make it necessary for the Government to go out and buy new motors from concerns at a large price.

Mr. LA GUARDIA. Oh, no.

Mr. COLLINS. No; only those planes that are built after 1929.

Mr. MAAS. It does not prevent the replacement of present planes with Liberty motors at all.

Mr. COLLINS. It would prevent the replacement—

Mr. MAAS. Oh, no.

Mr. COLLINS. The gentleman does not know what I am going to say. It would prevent the replacement of the motor in a plane, built in 1929, with a Liberty motor four years hence.

Mr. TABER. If the gentleman will yield, I do not understand it in that way. I understand that any plane that is built during the fiscal year 1929 and delivered can be reconditioned by the installation of a new Liberty motor.

Mr. COLLINS. I do not construe the proposed amendment as the gentleman does.

Mr. LA GUARDIA. My amendment merely provides that new planes purchased by the Air Corps after July 1, 1929, shall not be equipped with Liberty motors. That is all my amendment provides.

Mr. COLLINS. That is what I have said.

Mr. LA GUARDIA. The gentleman stresses the fact that there are several planes being reconditioned by replacing Liberty motors in existing planes; my amendment does not disturb that plan or condition at all.

Mr. COLLINS. I understand; but if a plane were equipped with another motor and that plane were built in 1929, then the motor in that plane could not be replaced with a Liberty motor.

Mr. LA GUARDIA. The gentleman is correct.

Mr. TABER. That plane is not constructed so that it could be so replaced.

Mr. COLLINS. The author of the amendment says that my construction of the amendment is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. LA GUARDIA) there were—ayes 24, noes 14.

So the amendment was agreed to.

Mr. JONES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 34, line 13, strike out "\$50,000" and insert in lieu thereof "\$81,820."

Mr. JONES. Mr. Chairman, I do this in order to make it certain that they will be able to have the funds necessary to purchase the helium that the hearings show they desire.

In the hearings General Fechet said they would need \$132,000, but that was based on helium at a price of \$46 per thousand.

At the new plant at Amarillo, provided they can run reasonably near capacity, they hope finally to be able to make the helium at \$20 per thousand, and I take it this is the basis on which the committee made the amount \$50,000.

As shown by the hearings not only on the Department of Commerce bill but on the present bill—and I have confirmed this by consultation with the Bureau of Mines—this is based on their being able to run at something near capacity. On page 369 of the hearings on the Department of Commerce appropriation they give an estimate of \$20, based upon a purchase of 8,100,000 cubic feet by the Army and Navy combined, and they state that it would require an additional amount if less than this amount were purchased.

In this letter from Mr. Turner, who is the Director of the Bureau of Mines, having this work in charge, it is stated:

Costs as low as those indicated by the above table should not be expected during the first few months of operation as a new plant.

The plant has just about been completed and will be ready to go into operation some time during this month, probably between the 15th and February 1. For the first few months, even if they ran at full capacity, they will not be able to furnish the helium at this price. The cheapest helium that has ever been purchased by the Government is \$35 per thousand.

By my amendment I have not increased the appropriation to \$132,000, which was based on the old rate they had to pay at the Fort Worth plant because of the scarcity of gas and their inability to run full time, but I have placed it at \$35 per thousand, and I have put it "not to exceed \$81,820," which is figured on the amount of helium they require at \$35 per thousand. I think when we have spent 700,000 to build and equip a new plant and have the facilities already for operation, it would be

parsimonious, it would be false economy, not to give them a chance to get into proper operation; not to give them a little leeway, because even the director, who is in charge, says they will not be able the first few months to make the helium at \$20 per thousand, even operating at practically full capacity.

My amendment does not provide the full amount requested—\$132,000—but only \$81,000, which is an increase of \$31,000. I think the committee should give them this opportunity. This is a matter of tremendous importance.

Why, in this same bill we are appropriating \$150,000 for the breeding of Cavalry horses. This may be important, and I suspect it is. They need Cavalry horses at times, but in war times dray horses are used much more than Cavalry horses. If it is important to appropriate for some of these items here, it seems to me we could appropriate \$31,000 more to an item as important as helium, which is for a great wing of the Army, lighter-than-air craft, which, to say the least, has some indication of being of service. It is a branch of the service that is cheaper to operate than the heavier-than-air craft. They have been able to make much longer flights than the heavier-than-air craft. Way back in 1919 the old British R-34 crossed the ocean both ways. We have recently gone to Panama in about one-fifth the time it would take ships to go there. They also used captive balloons in war times even though filled with hydrogen. Lighter-than-air ships have gone great distances filled with hydrogen. They are much safer when filled with helium.

I think when we have gone to this expense in the equipment of a plant it would be the height of folly to cut this appropriation down and require the plant, which cost \$700,000, to stand in idleness and rust when by adding a few thousand dollars to the original appropriation we can have it operating right along.

I think the committee should agree to this increase. I think it is reasonable.

Mr. LANHAM. Mr. Chairman, I would like to make a few observations with reference to this amendment and this provision of the bill in order that the members of the subcommittee may reply to the inquiries of my colleague [Mr. JONES] and myself at the same time.

The estimate of \$50,000 for the purchase of helium, as stated in this bill, is predicated upon the purchase by the Government at the rate of \$20 per thousand cubic feet. It is interesting to note in passing, as indicative of our progress, that 15 years ago a cubic foot of helium had never been extracted for less than \$1,500. Now we hope to get it down to 2 cents a cubic foot. Whether or not the sum of \$50,000 will be sufficient will depend on certain things. The authorities of the Bureau of Mines estimate that they can supply helium gas at \$20 per thousand cubic feet, provided their output is permitted to be 8,100,000 cubic feet, of which the Army is supposed to take 2,500,000 cubic feet and the Navy 5,600,000 cubic feet.

Now, if the demand for the output is sufficient to keep the plant running at such capacity as to enable them to produce 8,100,000 cubic feet, and the Army will use the amount indicated, and the Navy do likewise, then the appropriation of \$50,000 will be sufficient. But, in order to know that it will be sufficient, we shall have to have the assurance that the Army will use 2,500,000 cubic feet, and that the Navy will use 5,600,000 cubic feet; and the further assurance that neither branch of the service will use any helium manufactured by other parties unless it is in excess of the 8,100,000 cubic feet. I understand that some helium is produced by a private corporation. There is a private concern extracting helium in rather considerable quantities and the Navy has purchased, as I have been informed, some of its supplies from this concern. They have been extracting helium and selling it to the Government at about \$35 per thousand cubic feet. If the Navy is going to get a part of its supplies from that source, and is not going to use the 5,600,000 cubic feet from the Government plant, and the Army is not going to use the 2,500,000 cubic feet, then this plant could not produce helium at \$20 per thousand cubic feet, and the appropriation of \$50,000 would not be adequate. Therefore, whether or not the amendment should carry, or whether the amount of \$50,000 should be increased, must necessarily be dependent upon information given us as to whether or not the Army and the Navy, respectively, are going to use the amounts I have indicated. I should like to have the members of the subcommittee, if they can, give us an assurance as to whether there is going to be a demand for 8,100,000 cubic feet for the respective needs of the two services.

If so, I think the sum of \$50,000 in this bill would be sufficient. If not, it is going to cost more than \$20 per thousand cubic feet to produce the helium because the overhead remains practically constant, regardless of what the output may be. The smaller the output the greater the expense per thousand cubic feet. So it is highly important that the House should have



accurate information as to whether or not the prescribed quantities are going to be used.

Mr. TABER. Mr. Chairman, the committee went into this situation carefully. The average number of cubic feet of airship capacity which the Army will probably operate in the fiscal year 1930 will be approximately 1,400,000. The Air Corps authorities state that it will require for one year approximately one and one-half times the capacity to operate the ships. Having that in mind the amount of helium consumed during the year 1930 would be 2,100,000 cubic feet. At \$20 a thousand cubic feet that would amount to \$42,000. But the committee, in order to be a little more than fair with this activity, and having that in mind provided enough money to purchase two and one-half million cubic feet, which is the amount that the Bureau of Commerce stated would be required by its plan from the Army to keep running on an 8,000,000 basis a year. That plant is going to start February 1, and by July 1, or the beginning of the fiscal year 1930, the plant ought to be in full operation, according to the statement which the Department of Commerce, Bureau of Mines, made in their hearings; and we ought to get the helium then for \$20 per thousand cubic feet.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. JONES. I call the gentleman's attention to the items shown on page 508 of the hearings. They include \$10,000 for transportation. In estimating the cost of helium, of course, figuring the helium at \$46 plus per thousand cubic feet, \$10,000 is added for transportation, which makes up the \$132,000 that they are asking for. The transportation would probably be the same. I think the gentleman has his figures too low, because \$42,000 plus the \$10,000 of transportation would be \$52,000 even if helium were produced at \$20 per thousand cubic feet. I have simply put in \$35 and say not exceeding \$35 per thousand, including the \$10,000 for transportation, which they would have to pay in any event.

Mr. TABER. They might have to pay \$10,000 for transportation and they might not.

Mr. JONES. They have no hangar at that plant and they have no mooring post, and they would necessarily be compelled to transport it.

Mr. TABER. The gentleman means that they have no hangar at the Amarilla plant?

Mr. JONES. Yes; and no mooring mast.

Mr. TABER. Of course, they have to transport it, but \$8,000 will cover that.

Mr. LANHAM. What about the Navy requirements?

Mr. TABER. I can not give them offhand, but they have the *Los Angeles*, which is approximately 2,200,000 cubic feet. That, with its method of operation, would probably consume three and a half million to four million cubic feet, and the Navy Department is trying to purchase helium in advance of the requirement of the *Los Angeles*, with the idea of storing it for the new airships when they come along, because they have a cubic foot capacity of approximately six and a half million, and we could not expect to run into the immediate production of helium sufficient to keep those ships in operation, if we did not accumulate a storage, so that the Navy will have a storage proposition. The Navy estimate on that, which has not yet been considered by the subcommittee on Navy appropriations, is \$300,000, which would provide, at \$20 per thousand, for the purchase of twelve or thirteen million cubic feet.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LANHAM. Of course, what the production of this helium will cost will necessarily depend upon the volume of the output, because the overhead expense remains practically the same. In other words, with the plant getting out something like its full capacity the helium will cost us less per thousand cubic feet than if a smaller volume is being produced, and if it is reasonably assured that the Government in the Army and Navy services will take from the helium plant for the next fiscal year an output of 8,100,000 cubic feet, then this figure would be about adequate; but if there is no assurance of this kind, the helium would cost more, and consequently the figure would have to be increased.

Mr. TABER. I think we can fairly say to the gentleman that the cost of the helium is a factor which will have to be taken into consideration by the Naval Committee in framing the naval appropriation bill, and if that bill does not provide sufficient to pay for at least 6,000,000 cubic feet at \$20 per thousand,

there would be a legitimate criticism of their appropriation. In the meantime inasmuch as 2,100,000 cubic feet would be sufficient, according to the statements of the Army air officials, to take care of what their operation will actually cover, I think that this appropriation is undoubtedly sufficient.

Mr. LANHAM. Yes. I will say that the gentleman who has charge of helium in that division of the Bureau of Mines gave me the information that if the total output for the Army and Navy would equal 8,100,000 cubic feet, he thought it could be produced at \$20 per thousand cubic feet.

Mr. TABER. I think the gentleman is correct. That is the same information that we acted upon.

Mr. JONES. I had that information, but the testimony shows that if the Army and Navy do not take the full amount the cost would be very much increased.

Mr. LANHAM. Naturally, it would.

Mr. TABER. That is an item that should be taken up on the naval bill, if they do not carry enough to purchase 6,000,000 feet. If they do—and I personally feel that they will—this is ample to take care of the situation.

Mr. JONES. Mr. Chairman, in view of the assurance given by the committee in reference to that, while I think they ought to take care of the extra freight cost, it is so near that that I desire to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. JONES. Mr. Chairman, I move to strike out the last word for the purpose of discussing this matter just a little further. I was somewhat surprised and disappointed at the statement which one of the members of the committee made that the Army is planning to abandon the lighter-than-air type of service. I can not credit this. I think it would be very unfortunate should they finally decide to do so. In one sense it is a somewhat new activity, and a somewhat old one in another sense. But at the same time an impression seems to have grown up in the minds of some people to the effect that lighter-than-air craft are not suitable for military service. Yet as shown by the records the lighter-than-air craft, even with the dirigibles filled with hydrogen and the receptacles filled with hydrogen, did a very great service during the war.

I know, from what a number of people have told me, from official records, and from personal observation, that one of the nightmares of the soldier in the last war was to have shells bursting around him, not knowing where they came from, and thus being handicapped in his efforts to fight back.

In the old days fighters were sometimes placed in a ring blindfolded for the purpose of fighting with gloves. One can readily realize their helpless feeling.

To avoid the condition that sometimes prevailed when the shells were bursting around them which they could not locate the soldiers ran up what were called captive balloons from a stable position back behind the lines. In this way they would try to get information as to what was going on behind the enemy lines, as to his movements, the location of his batteries, and where the firing was coming from. These balloons were filled with hydrogen gas, so that a single touch of an incendiary or a tracer bullet would make them come down in a mass of flames.

This helium we are talking about is noncombustible and if a bullet should strike a captive balloon filled with helium it would not burst into flames. If it had more than one compartment it might not even be forced down. They may find something to take the place of a captive balloon if there is another war, but there is no assurance of that. The information obtained by these balloons was invaluable in the last war. Of course, they took pictures and made observations from heavier-than-air aircraft—that is, from the airplanes which went across the lines—yet these pictures did not always furnish all of the information needed. They had to be moving all the time and could not get all of the advantages that could be obtained from a stationary position. They had to get some sort of a stable craft behind the line in order to get fuller or supplemental information.

During that war some of the worst terrorism was caused by dirigibles which crossed the channel to London. In this way the Germans dropped bombs and even exploded arsenals, causing tremendous damage, going over the city under the cover of night or fog or clouds. These lighter-than-air aircraft may not be as important as some other branches of the service, but they are at least important. My right hand may be better than my left hand, but there is no reason for cutting off my left hand. The heavier-than-air aircraft may be more valuable in war time than the lighter-than-air aircraft, but, as shown by experience in the last war, the lighter-than-air aircraft is of tre-

mendous military service, and therefore if the Army is to remain strictly up to date, as it should be if it is going to be our means of national defense, we ought to have all the available methods, strictly modern methods, of carrying out its activities. For this reason I think this committee and the Committee on Military Affairs and the Congress would make a great mistake if they required the Army to abandon this form of activity.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONES. I ask unanimous consent for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES. Mr. Chairman, I do not know whether it is true, but it is a fact, nevertheless, that for some reason the heavier-than-air aircraft have been much more talked about than the lighter-than-air aircraft. Much ado was made last year when for the first time three men—we all remember the occasion a few months ago when three men made a western trip across the Atlantic in an airplane. The papers had headlines filled with it all over the country. That was the first time anyone had ever crossed the Atlantic in an airplane in a nonstop flight in a westerly direction. Yet four years before—more than that; in fact, in 1919—the *R-34* made a flight both across and back, and four years ago the *Los Angeles*, purchased by this country, flew 5,000 miles from Germany and landed over here, and neither caused much more than a ripple of comment.

The *Los Angeles* had made more than a hundred successful flights. One of the dirigibles in this country made a flight of 9,000 miles. Recently I think the *Los Angeles* went to Panama in about one-fifth the time it takes a steamer to go there.

All that is important not only from the commercial standpoint but from the standpoint of the military service. From the military standpoint, it is recognized as so important that Germany and other countries are building these craft. They are spending much more than we have talked about here to-day trying to develop a substitute for helium, and they have been trying to locate helium also. Other countries have spent large sums in trying to find some source of supply of a commodity of which America has practically a monopoly. They recognize its importance, and I think the Congress ought to recognize its importance. I think it will in the course of time.

An effort is being made to develop helium by private concerns. I hope it will be successful. But in conservation matters private concerns can not always be depended upon. The conservation of our natural resources is one of our principal needs, and particularly the supply of helium, because, as we know, at present it is somewhat limited, and very much limited so far as locality is concerned. In the matter of reforestation it is possible that private interests might reforest this country as cheaply or even more cheaply than the Government, but it is generally recognized that reforestation must be handled by the Government. That is true of the development of helium. I am informed that a private concern is now making helium from a gas that can not be used for any other purpose. That gas ought to be kept in the ground, and the helium ought to be extracted from gas that we use for other purposes. In various localities, one in Oklahoma—I do not know to what extent—and in certain sections of Texas, and in one or two other sections there is a gas that contains helium that comes into use for fuel; but the helium is taken out of the ground, and if it is not extracted it is wasted. I understand that one institution is extracting helium from a gas that is used for no other purpose than the extraction of helium.

Mr. MERRITT. Mr. Chairman, where is helium found?

Mr. JONES. The helium is found in various localities—some in the Texas fields, some in Oklahoma. There is a great quantity in what is known as the Panhandle field in Texas. There is some also in Kansas, and some in Utah, as well as one or two other States; and in small quantities helium has been found in two or three other countries, but not in quantities justifying its extraction from the natural gas. So that helium, for all practical purposes, so far as I know at this time, is confined to this country; and we have a monopoly on a commodity upon which other countries are spending more than we are inclined to expend in their effort to find helium.

Mr. MERRITT. Does the gentleman say that some of the helium is now wasted?

Mr. JONES. Yes. When the gas is owned by private parties they are going ahead and using the gas which contains helium and selling it as gas, and private concerns, of course, can not be blamed for it. One of the chief reasons for building the Amarillo plant is not only to establish the manufacture upon a firm basis but to conserve the greatest supply of helium-bearing gas that is now known. There, I understand, they do

not expect to use the gas except when the helium is extracted. In other words, they expect to develop the field only as our helium needs may require. I have understood that they hope to arrange a contract to protect the entire structure of that field. There is another field, a larger field, not far away, but it does not contain a particularly large amount of helium. This particular field that the Government has sought control of for the purpose of conservation covers such an extent of territory that it would probably supply the helium that we need for an indefinite period of time, provided we do not permit it to get into the control of private hands, who, in order to sell the gas, might release the helium from the ground.

Mr. LaGUARDIA. What is the cost?

Mr. JONES. Before the plant was built at Fort Worth it cost \$1,500 per cubic foot. Of course, it was then a chemical curiosity. Naturally, experience enabled them to produce it cheaper. In the experimental plant at Fort Worth, before the main plant was built, they produced it at about 5 or 6 cents per cubic foot, or \$50 to \$60 per thousand. They gradually reduced the cost in the main plant until I think it was estimated at about 3 cents or 3½ cents per cubic foot. Of course, recently, due to fact that the plant has only operated part time, the cost has increased to some extent.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES. May I have two minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JONES. The Fort Worth plant was built in war time, naturally at greater expense than would be incurred now. Besides it was the first of its kind in the world. They have developed some very great improvements in the process. Naturally, the cost range has been higher, due to the newness of the industry and the lack of knowledge at the time the Government work began.

When all these things are considered I think those in charge of production by the Government have done remarkably well in the showing they have made.

Taking a commodity about which little was known, and concerning the practical extractions of which less was known, operating in an almost uncharted field, I think those who have made sacrifices in its development deserve the thanks of the Congress and the country.

Having the benefit of their experience and their knowledge, there is every assurance that future production can be maintained at a much lower cost than the older plant was able to maintain.

The CHAIRMAN. The time of the gentleman from Texas has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

#### PRAGUE SINGING SOCIETY

Mr. BRITTEN. Mr. Chairman, before the Clerk reads further, I ask unanimous consent that I may address the House for three minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BRITTEN. Mr. Chairman, there are in the gallery of the House right now some 53 public-school teachers from Czechoslovakia. They have just called upon the Chief Executive at the White House. They are paying what might almost be termed an official visit to the United States. Ten years ago President Masaryk was in Washington. A resolution was pending which had for its purpose his addressing the House and Senate in joint session, but he accomplished his mission without coming before the Congress and then left the country. These gentlemen are here now on what might be termed the tenth anniversary of that event.

Besides being school-teachers they represent an organization called the Prague Teachers' Singing Society. They are singing their way around the United States as guests of the Bohemians of the United States. Chicago, Cleveland, New York, Cincinnati, Detroit, and various other places where there are groups of Bohemians have invited these men over here, and if they will stand up I would like to present them to the House of Representatives. [Applause.]

Mr. Chairman, I hear a number of requests that they sing for us, and I would very much like to have them sing either our national anthem or their national anthem, or both. It will take only a minute.

Mr. JONES. I suggest that the gentleman move a recess.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent that that may be done.



The CHAIRMAN. The gentleman will have to move that the committee rise and the Speaker will have to resume the chair before a recess can be taken.

Mr. BRITTEN. There seems to be a general desire among the Members that a recess be taken. [Applause.]

Mr. Chairman, while we are waiting for the Speaker, I may say that this delegation has just sung their national anthem and our national anthem at the White House in the presence of the President of the United States.

Mr. Chairman, I withdraw my request and we will proceed with the Army bill for 10 minutes until a motion may properly be made.

The CHAIRMAN. The gentleman from Illinois withdraws his request, and the Clerk will read.

#### WAR DEPARTMENT APPROPRIATIONS

The Clerk read as follows:

##### MEDICAL AND HOSPITAL DEPARTMENT

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of the Army and Navy Hospital at Hot Springs, Ark.; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$1,246,571: *Provided*, That no part of this appropriation shall be used for payment of any expense connected with the publication of the Medical and Surgical History of the War with Germany: *Provided further*, That civilian employees of the Army shall be required to pay not less than cost prices for Army medical supplies purchased by them pursuant to the provisions of the act approved April 23, 1904 (U. S. C. p. 215, sec. 1236).

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from California the reason for the proviso on page 37, line 21 to line 24.

Mr. BARBOUR. That is with regard to the civilian employees?

Mr. LAGUARDIA. No; with regard to the history.

Mr. BARBOUR. I understand from the testimony given to our committee that the work on the medical and surgical history of the war with Germany is practically completed and that the funds already appropriated will fully complete that work.

Mr. LAGUARDIA. Every other branch has printed its history. I think the Medical Corps did remarkably well and I believe its history will be very useful.

Mr. BARBOUR. We have provided a specific appropriation for that and we did not want this money used for that purpose.

Mr. LAGUARDIA. But the history will eventually be published?

Mr. BARBOUR. Oh, yes. They are carrying on the work and it is practically all done.

Mr. LAGUARDIA. It is all right as long as the work will not be stopped.

Mr. BARBOUR. In fact, the composition work on the history is completed; most of the volumes have been printed and the remaining volumes are either in the hands of the printer or about to be sent to the printer.

Mr. LAGUARDIA. That is satisfactory.

The pro forma amendment was withdrawn.

The Clerk read as follows:

#### ENGINEER DEPOTS

For incidental expenses for the depots, including fuel, lights, chemicals, stationery, hardware, machinery, pay of civilian clerks, mechanics, laborers, and other employees; for lumber and materials and for labor for packing and crating engineer supplies; repairs of, and for materials to repair, public buildings, machinery, and instruments, and for unforeseen expenses, \$93,060.

#### UNITED STATES ARMY AIR SERVICE REFUELING MISSION

Mr. CLAGUE. Mr. Chairman, I ask unanimous consent to speak out of order for two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CLAGUE. Mr. Chairman, I do not think there has been anything said in the House regarding the Army fliers who made such a wonderful record on the recent endurance flight on the *Question Mark*. I hold in my hand a letter written January 4, 1929, the fourth day of the flight, written by Chief Pilot Eaker, which I will read to the House:

#### ON BOARD THE "QUESTION MARK,"

OVER SOUTHERN CALIFORNIA,

January 4, 1929, fourth day of flight.

DEAR MR. CLAGUE: Here's wishing for you and Mrs. Clague the best of everything for 1929. Hope you are both well and happy.

Our endurance flight is still enduring at the present time. Have just passed 80 hours. We are learning some very valuable things for aviation, both military and commercial. Hope to see you both on my return.

Sincerely,

IRA C. EAKER, Captain, Air Corps.

[Applause.]

The personnel of the flight was Maj. Carl Spatz, in command, Capt. Ira C. Eaker, chief pilot, Lieut. H. A. Halverson, Lieut. Elwood Quesada, and Sergt. Roy W. Hooe.

The men who conducted this flight were continuously in the air for about 151 hours and traveled nearly 12,000 miles. They have demonstrated to the country what can be done in the new, up-to-date airplanes. It is the greatest endurance record ever made in the air in this or any other country, and the people of the United States have reason to be proud of the men who made this great flight.

This flight has shown the country that the engines used in this plane are the most wonderful engines that have perhaps ever been constructed.

I think these men are not only entitled to a vote of confidence by this body, but they have shown not only to the United States but to the entire world that we have in the United States as good if not the best airplanes that have ever been manufactured. I recommend that these men who performed this great record be given hero medals. [Applause.]

#### PRAGUE SINGING SOCIETY

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent to address the House for two minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BRITTEN. Mr. Chairman, I have just talked personally with the Speaker of the House concerning the request of a number of Members of the House to have the Prague teachers sing their national anthem or ours in the Hall of the House.

The Speaker thinks it would be establishing a precedent which might work against the House at some future time, and after talking with him I am inclined to believe he is entirely right. So I am going to ask the minister of Czechoslovakia and his friends to step out to the east front of the Capitol and sing there for us. [Applause.]

#### WAR DEPARTMENT APPROPRIATIONS

The Clerk read as follows:

##### CHIEF OF COAST ARTILLERY

COAST ARTILLERY SCHOOL, FORT MONROE, VA.

For purchase of engines, generators, motors, machines, measuring and nautical instruments, special apparatus, and materials, and for experimental purposes for the engineering and artillery and military art departments and enlisted specialists division; for purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defenses; for incidental expenses of the school, including chemicals, stationery, printing and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; for office furniture and fixtures, machinery, and motor trucks; and unforeseen expenses; in all, \$29,205: *Provided*, That section 3648, Revised Statutes (U. S. C. p. 1009, sec.

529), shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation: *Provided further*, That purchase and exchange of typewriting machines, to be paid for from this appropriation, may be made at the special price allowed to schools teaching stenography and typewriting without obligating typewriter companies to supply these machines to all departments of the Government at the same price.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

How is it that the Coast Artillery School is able to obtain these typewriter machines at reduced prices made to schools and asks that this proviso be written into the appropriation bill? This seems strange to me.

Mr. BARBOUR. It seems to be a special provision in the case of the Coast Artillery and it requires just this much less money.

Mr. LAGUARDIA. I understand it requires less money in this instance, but then we have the Infantry School, we have the War College, we have West Point, we have Annapolis, and several other schools in the Government, and to write a proviso of this kind in one particular instance strikes me as being so unusual that some explanation or justification should be made.

Mr. BARBOUR. This has been carried in the bill for a good many years.

Mr. LAGUARDIA. If a typewriter company sells the Coast Artillery School a typewriter at a special school price, I do not see how it would be obligated to sell to anyone else at the same price, and yet we are writing this proviso into the law.

Mr. BARBOUR. It may be that these other schools are getting the benefit of it also. The situation is that this bill grew out of about five or six different appropriation bills, and we have been trying to improve the form of the bill and get it in better shape. Maybe these other schools are getting this special price, but this provision has been carried in connection with the Coast Artillery School for some time.

Mr. LAGUARDIA. The gentleman understands the object of some of us in seeking to bring about some uniformity in respect of all these bills?

Mr. BARBOUR. We are all working to the same end.

Mr. LAGUARDIA. Without seeking to disturb the form of the bill at this time I simply want to call the gentleman's attention to this proviso so that the gentleman may look into the matter. It seems to me it ought to apply to all of them.

Mr. BARBOUR. It may apply to all of them, but I know this language has been carried for some time at this particular place.

The pro forma amendment was withdrawn.

The Clerk read as follows:

PUBLIC WORKS, UNITED STATES MILITARY ACADEMY

For construction of new cadet barracks, including razing old cadet mess hall, preparing plans and specifications, excavating, and preparing site, as authorized by acts approved February 28, 1928 (45 Stat. 129), and March 10, 1928 (45 Stat. 300), \$600,000, to remain available until expended.

Mr. BARBOUR. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 49, line 17, insert a new paragraph, as follows:

"For an additional amount for completing the construction of the new cadet mess hall, cadet store, dormitories, and drawing academy at the United States Military Academy, as authorized by the act entitled 'An act to authorize an appropriation for building a new cadet mess hall, United States Military Academy, approved January 9, 1929,' \$297,540, to be immediately available."

Mr. DOWELL. Mr. Chairman, I make a point of order on that.

Mr. BARBOUR. The erection of the building has been authorized by law.

Mr. DOWELL. This is an annual appropriation bill, and this provision to make it immediately available is legislation on an appropriation bill.

The CHAIRMAN. Will the gentleman from California cite the Chair to the law?

Mr. BARBOUR. The construction of this project at West Point has been authorized by law.

The CHAIRMAN. And the Chair asks the gentleman from California to produce the law.

Mr. BARBOUR. The act was reported by the Military Affairs Committee, passed, and signed by the President, and this is a continuing appropriation.

Mr. MORIN. It has been appropriated for since 1924.

Mr. DOWELL. Unless the words "immediately available" are stricken from the proposed amendment, this is legislation.

Mr. BARBOUR. I understand that the gentleman's point of order is made to the words "immediately available," but not to the appropriation itself?

Mr. DOWELL. The question I have raised here is as to making it immediately available. I say that is legislation on this bill. The only way the gentleman can present that is in another form and in another bill.

Mr. BARBOUR. The appropriation is authorized under the act of January 9, 1929, which is to-day.

The CHAIRMAN. The Chair asked the gentleman to cite the Chair to the act so that he might examine it.

Mr. LAGUARDIA. That is the bill that was passed last Monday.

Mr. BARBOUR. We have here a letter from the President addressed to the Speaker of the House estimating for the appropriation carried in this amendment. We also have a letter from the Director of the Budget addressed to the President in which he submits this appropriation to the President, and it is approved by the President in the letter to the Speaker. He cites the act of January 9, 1929, evidently signed to-day.

The CHAIRMAN. The fact seems to be that the bill in question passed both Houses, was signed by the Presiding Officers of the two Houses, and sent to the President. So far as the Chair has official information, that is as far as it has gone. If the point of order is raised challenging the provision of the law, of course the Chair can do nothing but call for the law. Probably the gentleman from California will not be able to produce the law until to-morrow when it is messaged from the White House.

Mr. DOWELL. Mr. Chairman, I do not want to raise the question on the appropriation; my purpose is only to make the point of order to the words "immediately available" under this bill. This bill is for appropriations beginning on the 1st of July of this year. This amendment providing for an appropriation for this fiscal year is legislation.

Mr. BARBOUR. Well, I submit that that question has been ruled upon on numerous occasions heretofore, and the point of order has been overruled.

The CHAIRMAN. As the Chair recalls from memory, this particular point has been ruled upon a number of times since the adoption of our present system of appropriating by departments and in each case, so far as the Chair recalls, a point of order made on account of the words "immediately available" has been overruled. Has the gentleman from Michigan [Mr. CRAMTON], who is on his feet, any remembrance that conflicts with the recollection of the Chair?

Mr. CRAMTON. I can not refer to the citation, but I know that that precise point has been raised, and it has been ruled that to make it immediately available, or to make it available until expended, is in order on one of these appropriation bills, since the whole matter is in the jurisdiction of the Committee on Appropriations.

The CHAIRMAN. That is the recollection of the Chair. The parliamentarian has just found one precedent that would seem to be in point. It is section 8223 of the Precedents of the House of Representatives, and is summed up in this statement:

Such items were formerly ruled out on account of jurisdiction, but since the Committee on Appropriations now has exclusive jurisdiction of all general appropriation bills, the point of order is no longer valid.

The Chair recalls a number of instances, though he is not able to turn to them immediately, that have been ruled in this way. The Chair, therefore, overrules that point of order.

Mr. DOWELL. Mr. Chairman, I do not desire to raise any further question about the other matter, about the law not being here.

Mr. BARBOUR. All we have is the letter from the President referring to the act signed to-day. A printed copy of the act is not at this time available, but it is the law.

The CHAIRMAN. If the other point of order was pressed, the Chair would sustain it, because clearly the law can not be produced, and until it can be the Chair would be compelled to rule the other way.

Mr. DOWELL. I do not desire to press that question.

Mr. LAGUARDIA. Mr. Chairman, for the sake of precedent, the Chair does not intimate that a physical presentation of the law is necessary.

The CHAIRMAN. It is necessary that the public act be cited in one way or another.

Mr. LAGUARDIA. Cited, yes; I did not want the intimation to go out that a physical production of the law is necessary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment, which I send to the desk.



The Clerk read as follows:

Amendment by Mr. LaGUARDIA: Page 49, line 12, after the word "barracks," insert "on the site of the old mess hall, its street face on the barracks to be in prolongation of the street face of the West Academy Building."

Mr. BARBOUR. Mr. Chairman, I make the point of order that that is legislation on an appropriation bill.

Mr. LaGUARDIA. Mr. Chairman, it is apparent that the bill itself provides for a new cadet barracks on the site of the old mess hall, and all my amendment does is to amplify the site. I am absolutely indifferent whether the committee adopts this or not, except that next year, if the committee does not adopt this amendment and it comes in with a deficiency appropriation, I shall be able to say, "I told you so." This is the situation. The barracks is to be placed on the same site now occupied by the mess hall. I understand, and I am reliably informed, that the present superintendent there has decided to change somewhat the plans that are now complete by placing a porch in the front of this building. If that is so it will be necessary to throw the building back, and owing to the peculiar topography of the land you will need more excavation, and the amount that you now appropriate will not be enough. I can only bring the facts to the committee. If you want to raise the point of order of course you may do so, but it is simply describing the site, and if it is not accepted, and the plan should be changed, you will be confronted with a deficit.

Mr. COLLINS. Yes. He is preparing to excavate rock 35 feet through.

Mr. LaGUARDIA. That is what my amendment seeks to avoid.

Mr. COLLINS. For the purpose of making this minor alteration.

Mr. LaGUARDIA. That is what my amendment seeks to avoid.

The CHAIRMAN. Does the gentleman from California make the point of order?

Mr. BARBOUR. Yes.

The CHAIRMAN. The paragraph under consideration in the bill provides an appropriation for the construction of new cadet barracks as authorized by the acts approved February 28, 1928, and March 10, 1928. The amendment of the gentleman from New York evidently seeks to amplify the authority given, although the Chair has not examined the acts authorizing this construction, but assumes that if the amendment of the gentleman from New York has any effect whatsoever it will be to amplify or otherwise alter that authority, and therefore will be legislation. As the paragraph in the bill now stands, it simply provides that the construction for which the appropriation is made shall be done in accordance with certain acts. Now the gentleman wishes to supplement the provisions of these acts. As a matter of fact, the gentleman is almost a year late. If he had been here when the acts were passed, his amendment would have been in order to change them in any way germane to the then pending bills; but at the present time this appropriation bill carries no legislation on the subject but simply provides an appropriation to be expended in accordance with the acts passed nearly a year ago.

Mr. LaGUARDIA. I have not the act before me, but it is my understanding that the act provides for tearing down the old building and putting a new building in its place.

The CHAIRMAN. Does the gentleman's amendment change the act?

Mr. LaGUARDIA. No; but it permits the building to be shoved back.

The CHAIRMAN. What the gentleman states is clearly legislation and defeats his own amendment.

Mr. LaGUARDIA. It is to carry out the intention of the act.

The CHAIRMAN. The gentleman's amendment is clearly an attempt to enlarge, amplify, clarify, or otherwise alter previous legislation, and is therefore legislation.

Mr. LaGUARDIA. Perhaps it is better to enlarge the legislation than the appropriation, as we will have to do in the future.

The CHAIRMAN. That, however, is a matter to be taken up in a legislative bill and not an appropriation bill. The Chair sustains the point of order.

The Clerk read as follows:

Section 3648, Revised Statutes (U. S. C. p. 1009, sec. 529), shall not apply to subscriptions for foreign, professional, and other newspapers and periodicals to be paid from any of the foregoing appropriations for the Military Academy.

Mr. DOWELL. Mr. Chairman, I reserve a point of order. That appears to be suspending a statute and has the appearance clearly of legislation, and I was wondering why a statute

has to be suspended and what necessity do they have for offering to repeal the practice for this purpose?

Mr. BARBOUR. We are not going to change the practice. We simply propose to make an exception, because many of the foreign newspapers require the payment of subscriptions in advance and frequently they can get them at lower rates if paid in advance. This is simply for convenience and possibly to save a little money.

Mr. DOWELL. It seems to me there is a regular way in which to do this instead of suspending statutes.

Mr. LaGUARDIA. There are 10 different paragraphs with the same proviso in them, and the only time I permit them to go through is in reference to subscriptions to foreign papers.

Mr. DOWELL. If there is any great necessity for this, I am not so vigorous in the matter and I should withdraw it; but it seems to me there ought to be a specific appropriation for what they desire or what is necessary instead of trying to suspend a statute.

Mr. LaGUARDIA. It only permits the payment of subscriptions in advance.

Mr. BARBOUR. It is only to pay in advance.

Mr. DOWELL. Make the appropriation. Just a moment ago the chairman held you have an exclusive right if you want it, and I will say for this time I am going to withdraw the reservation of the point of order, but hereafter I shall try to hold the committee to a strict accountability.

The CHAIRMAN. The point of order is withdrawn.

The Clerk read as follows:

The Secretary of War is hereby directed to turn over to the United States Military Academy without expense all such surplus material as may be available and necessary for the construction of buildings; also surplus tools and material required for use in the instruction of cadets at the academy: *Provided*, That the constructing quartermaster, United States Military Academy, is hereby exempted from all laws and regulations relative to employment and to granting leaves of absence to employees with pay while employed on construction work at the Military Academy: *Provided further*, That the funds appropriated herein for the United States Military Academy may be expended without advertising when in the opinion of the responsible constructing officer and the superintendent it is more economical and advantageous to the Government to dispense with advertising.

Mr. COLLINS. Mr. Chairman, the gentleman from New York [Mr. COHEN] wants to occupy 10 minutes. I ask unanimous consent that he be given 10 minutes at the present time.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman from New York be allowed to proceed for 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. COHEN. Mr. Chairman and members of the committee, I am having a map brought in, largely to show you a picture of Governors Island, which is within four minutes of the Battery and within about six minutes of the financial district of the city of New York. I would like in connection with this map to describe the barracks that are being built and which are expected to be built with the appropriation that was passed at the last session.

I have consulted with the Secretary of War, calling his attention to the fact that on Governors Island the proposed barracks are to be built within about 150 to 250 feet of the quarters now occupied by the officers and showing that the location of the quarters of these officers is practically such that there is no real privacy for the officers and their families and the men stationed on Governors Island. I called on The Adjutant General, and he informed me that they were going to do a piece of legerdemain. They were going to remove the porches from the front of the officers' quarters and rebuild them on the back of the officers' quarters, thereby making the fronts the backs and the backs the fronts. Of course he said nothing about changing the interior plans of these houses and of this particular house which he calls cottage building No. 64.

This floor plan [indicating on map] shows that with the porches placed on what is now the rear of the houses it will be necessary to either go through the kitchen or the butler's pantry to reach the living room or reception room, as they call it, and that even with a change of the fronts, which only means a change of the porches, there is absolutely no privacy for the officers or their families. Just think what it would mean to have about 500 pairs of eyes looking from a 3-story building, a height 78 feet 6 inches at the highest point above grade, into the rooms of these officers' quarters, making it impossible for the families of these men to have that privacy to which they are entitled.

When I first called the question of an airport on Governors Island to the attention of the House I endeavored to convince the War Department that they were a bit selfish, to say the least, in holding an island of 172 acres where only about 74 acres were at present in use and 102 acres used for nothing but polo fields, golf courses, baseball field, and running track; and I am afraid with the present location of the barracks they are going to spoil the running track.

When I first introduced the bill the War Department gave no reasons for it not being suitable as a landing field or express station; but with the pressure of public opinion and the backing of the many organizations, they found it was necessary to do something more than just to stand mute, and they then raised the question of fog, wind conditions, the smallness of the field, the danger of flying; in fact, everything that could possibly be thought of. They ignored the recommendations of a congressional committee of the Sixty-eighth Congress, of which Representative PRALL was a Member; they refuted the statements of such flyers as Commander Byrd, Col. Clarence Chamberlain, and Casey Jones; and, in fact, I am told there are over 18 men around New York who have flown to and from Governors Island. They have stated that Governors Island is not suitable, but tell me what airport is 100 per cent perfect all of the time? Not one of them but at times has trouble with fogs, high winds, and other bad landing conditions.

Remember, gentlemen, you are within six minutes of Manhattan Island. You are within eight minutes of the customhouse and post office of the city of New York, and mail can be landed from the field and the Battery by boat within that time, leaving out the questions of pneumatic-tube service from the customhouse to the landing field. The mail comes from all over the country to New York City, and the delay in its transmission costs your constituents millions of dollars, even with the new port that is being built at Barren Island and the other airport in Jersey at Port Newark.

Irrespective of the statements made by Secretary Mellon to Mayor Walker to the effect that an airport should be as near the business section as possible, when I interviewed Secretary Mellon he said, "Yes; he did make that statement, but Governors Island was in another department." Postmaster General New, after making speeches and public statements that airports should be as close to the center of business as possible, and after recommending putting sheds on the Pennsylvania yards in Long Island City, when I called his attention to Governors Island all he stated was that fog made it unsuitable, even though our meteorological figures show that fog is not as bad at Governors Island as at Barren Island. Also an interview with President-elect Hoover, then Secretary of Commerce, only brought out the statement that it was in another department. I hope, now that as he will be the head of the Government shortly, that with his business knowledge and experience the War Department may listen to him if he will only speak. Practically every organization in New York City save one has advocated at one time or another the use of Governors Island as an express landing field.

Mr. LA GUARDIA. As to selecting Governors Island as a port, it was testified before the Senate committee that Governors Island was not properly adapted for military purposes, and they proposed to appraise the island and sell it.

Mr. COHEN. It was given by the State of New York to the Government of the United States with the express stipulation that it was to be used for military purposes only.

I called the attention of the Secretary of War to the fact that Major General Ely, now in command of the Department of the East, had made a recommendation to the War Department that the barracks, instead of crossing the island, should be placed along Buttermilk Channel, which would leave the island open and free. This recommendation, I believe, would be found in the official record, as the statements, I believe, were made to Representative JAMES, as well as myself; but the War Department saw fit to ignore these recommendations, and when I visited Secretary Davis he refused to make any change in the plans, saying it was for the esthetic and architectural beauty of the island; but more of that later.

I want to call your attention to one thing: The only place around New York adapted for landing in the event of an airplane having difficulty with its engine and being compelled to land is Governors Island. With these improvements on the island it will be almost impossible for an airplane to land, and unless the wind is just right it will be impossible for an airplane to take off. They have talked of wind, of fog, of the necessity for military occupation. They have talked practically about everything imaginable, but when you come to the last analysis, the absolute reason they want to keep Governors Island under the War Department is due to the fact that it is the last stepping-off place for major generals of the Army who

are going to be retired from the service, and every general in the Army hopes he will spend his last days on a beautiful island in New York Harbor, surrounded by all the athletic activities of a country estate or club and within 15 minutes of Broadway and Forty-second Street.

I realized only this fall, when I tried to get this island from the War Department, why it was they had a donkey as the emblem of the West Point Athletic Association. I can now understand why that is. I believe the Army should have what is known as "bulldog tenacity," but to have and just show the plain stubbornness of a mule or donkey is hardly compatible with one of the chief branches of the United States and a department that covered itself with everlasting glory a few short years ago. In this particular case they have acted as stubborn as the proverbial mule; no real reason but just the pure cussedness of a mule. You may call it a mule or a donkey or a jackass, but far be it from me to say that of the Army or the War Department; but if the War Department is spending its millions of dollars—yes, its hundreds of million dollars—is spending our money, the people's money, in the same way as they are spending it on Governors Island I think the country at large should have it called to its attention, and the voice of the people, which in the last analysis is the voice that must be listened to, should call, through its proper representatives, the Members of the House and Senate, for a thorough investigation of the conduct of the War Department.

Mr. McFADDEN. Will the gentleman yield?

Mr. COHEN. Certainly.

Mr. McFADDEN. What is the probable value of the land on Governors Island?

Mr. COHEN. Perhaps the gentleman from New York [Mr. LA GUARDIA] can inform the gentleman, because I do not know whether they have ever had it appraised.

Mr. LA GUARDIA. I think they have had it appraised at several million dollars, which, of course, is a ridiculously low figure, because the gentleman can imagine what that land, practically in the heart of a great city, would be worth.

Mr. McFADDEN. I asked that question because I have been informed by those who have a competent judgment of values in New York that that island is worth from a billion to a billion and a half dollars. If that island is worth that amount of money, it occurs to me it is a rather extravagant thing for the War Department to use it as a retirement home for the officers of the Army.

Mr. COHEN. I hardly think the value of the property enters into the matter at all. It is not the value of Governors Island as Governors Island, but the value of Governors Island to the country at large. I can take the train from Washington and reach my office within 30 minutes of the time you can get from here by airplane. The same thing applies to Boston and to other places within a radius of 300, 400, or 500 miles, and that is on account of the distance of this airport from New York. Let me add the statement of General Conner before the Committee on Military Affairs of the United States Senate, Sixty-ninth Congress, on page 17, which reads as follows:

General CONNER. Yes. That has been opposed by the Second Corps Area. There has been no decision on it. In fact, the matter has not been presented to the Secretary of War, but there has been some talk—perhaps I have done most of it myself—about selling Governors Island. If we could get the money, if we could put Governors Island on the market and sell it, and one other place, we could see our way very clear toward financing this housing program.

Senator BINGHAM. What is the appraised value of Governors Island?

General CONNER. I think Governors Island was considered at one time to be worth \$25,000,000.

Major BRANT. We had an estimate of \$18,000,000, and we thought that was an underestimate.

The CHAIRMAN. This is not for training purposes, a good place for infantry, is it?

General CONNER. No, sir.

The CHAIRMAN. You just have a parade ground on it practically; is that all?

General CONNER. A parade ground is all. Of course, it serves to house the Second Corps Area headquarters.

The CHAIRMAN. But it is a fine post.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. COHEN. Yes.

Mr. LA GUARDIA. The gentleman will remember that when the authorization of an appropriation for the erection of the buildings now under discussion was before the House some of us protested and pointed out that eventually, notwithstanding the stubbornness of the War Department, Governors Island would be used as a terminal airport. The gentleman from Michigan then assured us that the buildings would not be placed in such a position as to hamper the use of Governors



Island for that purpose. The gentleman from Michigan [Mr. JAMES] has kept his word. When the War Department announced it was going to build in this way I telegraphed the gentleman from Michigan as follows, as we were not in session at the time, and he got busy:

JULY 16, 1928.

HON. FRANK JAMES,

House of Representatives, Washington, D. C.:

You will recall appropriation for barracks Governors Island and opposition thereto and agreement that no permanent building would be placed anywhere on island which would interfere with eventual use of island as aviation field. Am now informed it is contemplated to construct barracks for one regiment southwest of present brick barracks. This would entail unnecessary waste public funds because progress can not be stopped and island will be used eventually as airport; besides it is not keeping gentlemen's agreement at time appropriation authorized. What do you advise to prevent this spiteful action and wanton waste of public funds? Kindly wire me 220 Broadway, New York City.

F. LA GUARDIA.

The following is an extract from a letter from Representative JAMES to myself:

I find your wire upon my return from a trip. I am to-day writing to Washington, stating I hope that no barracks will be erected that will prevent Army or other planes from landing on Governors Island.

You will agree that there is no doubt about the fact that they are doing this building purposely in order to prevent the use of Governors Island as an airport, because they can then come in and say, "You can not use it as an airport because we have these buildings here."

Mr. COHEN. May I say to the gentleman from New York—and I say it without fear of contradiction—that word came from the Architect's Office that they were to erect a building across this island. Originally they claimed they wanted to beautify the island, but see what they intend to do. They put the front of the barracks so as to face the officers' quarters, but when I called their attention to the fact that the rear of the barracks facing the open bay would hardly be "a thing of beauty and a joy forever"; that the rear of a building is never one that beautifies scenery, they for the first time changed their views and had the architect change their plans so as to make that part that was originally to be the rear facing down the bay front, and now the front faces down the bay and the rear faces the officers' quarters. They have made the back the front and the front the back.

Mr. LA GUARDIA. But leave it in the middle of the field.

Mr. COHEN. That is true, and that is done against the recommendation of Major General Ely, who is thoroughly familiar with the island. He has landed on the island in an airplane and has taken off from the island.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. COHEN. Yes.

Mr. COLE of Iowa. If this island were bought for war purposes and it is now devoted to other purposes, will it not go back to the State or city of New York?

Mr. COHEN. No; because the bill adds, for military, naval, postal, and other governmental uses. And I am quite sure that the State of New York would be more than willing to amend its deed of gift for what would be of such great benefit to the people of the city, State, and Nation.

Mr. ACKERMAN. Will the gentleman yield?

Mr. COHEN. Yes.

Mr. ACKERMAN. The gentleman is aware that the Newark Airport is about to open, is he not?

Mr. COHEN. Yes.

Mr. ACKERMAN. And will not that cut down the time now taken in transporting mail from Hadley Field to New York City?

Mr. COHEN. It will cut it down about 30 minutes, and it will take about 45 minutes. It now takes from one hour to two hours from Hadley Field, while now it will take about 45 minutes from Newark Airport, and I am giving you the very best of breaks through traffic. I went to Newark the other day in my automobile and it took me an hour and ten minutes, in my own machine.

Mr. ACKERMAN. That was because of the interference with traffic on account of the bridge being down, was it not?

Mr. COHEN. No; the bridge was not down. They were making some repairs, but the gentleman knows that is a very heavy artery of traffic.

I do not know what action this House will take, but I say to you gentlemen if this were a business corporation, and we were the directors responsible to our stockholders, and we had a piece of property within a few minutes of the business heart of a city, we would not think of going from 30 to 40 minutes,

or even an hour, away to build on another piece of property when we had an island such as Governors Island at our door to build on. Were there a real necessity for the War Department's selfish desire to withhold Governors Island from the lanes of progress, or a real reason to-day, 1929, as in 1800 to retain troops on Governors Island, or if the War Department could give a real reason except the selfish desire to retain Governors Island for its own use because it had it in the past, I would be the first one to say that I am mistaken and withdraw any endeavors to convince this House that Governors Island is a small cog, though a necessary one, in the prosperity of the community along modern lines, but while I do not know what action this House will take, while I know that the matter has passed beyond the Appropriations Committee, still I hope that this House will take suitable action and force the War Department to bow to the will of the people. I shall not be here next session, except possibly as a visitor, so my desire for Governors Island as an express station is not due to any other than a public-spirited motive. I trust that the House and Senate will pass a joint resolution withholding or recalling their approval of the appropriation for a barracks on Governors Island. This should be passed at this session because they are just now digging the foundations and the cost of changing same to the side of the island facing Buttermilk Channel would practically be nil, and if something is not done before the regular session of the Seventy-first Congress convenes it will be almost like the words of the marriage ceremony:

Speak now or forever after hold your peace.

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15712) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes, had come to no resolution thereon.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND THE DEPARTMENTS OF COMMERCE AND LABOR

Mr. SHREVE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 15569) making appropriations for the Departments of State and Justice, for the judiciary, and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1930, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. SHREVE, TINKHAM, ACKERMAN, OLIVER of Alabama, and GRIFFIN.

SETTLEMENT OF CLAIMS AND SUITS AGAINST THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3581) authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia, with House amendments, insist on the House amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

Mr. GARRETT of Tennessee. Is this agreeable to the minority?

Mr. ZIHLMAN. I have consulted the ranking minority member in the city, I will say to the gentleman from Tennessee.

The SPEAKER. Is there objection to the request of the gentleman from Maryland? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ZIHLMAN, UNDERHILL, and GILBERT.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. KINDRED, indefinitely, on account of illness.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7729) entitled "An act to divest goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners of their interstate character in certain cases."

## SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table, and under the rule referred as follows:

S. 2330. An act authorizing reconstruction and improvement of a public road in Wind River Indian Reservation, Wyo.; to the Committee on Indian Affairs.

S. 3590. An act to amend section 110 of the Judicial Code; to the Committee on the Judiciary.

S. 4217. An act to authorize the removal of the Aqueduct Bridge crossing the Potomac River from Georgetown, D. C., to Rosslyn, Va.; to the Committee on Military Affairs.

S. 4640. An act to provide for the retirement of enlisted men of the Philippine Scouts, and for other purposes; to the Committee on Military Affairs.

S. 4721. An act to extend the times for commencing and completing the construction of a bridge across the Potomac River at or near the Great Falls, and to authorize the use of certain Government land; to the Committee on Interstate and Foreign Commerce.

S. 4778. An act authorizing the Moundville Bridge Co. to construct a bridge across the Ohio River at or near the city of Moundville, W. Va.; to the Committee on Interstate and Foreign Commerce.

S. 4848. An act for the relief of T. L. Young and C. T. Cole; to the Committee on Claims.

S. 4861. An act authorizing the Brownville Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Brownville, Nebr.; to the Committee on Interstate and Foreign Commerce.

S. 4976. An act granting the consent of Congress to the counties of Lawrence and Randolph, State of Arkansas, to construct, maintain, and operate a bridge across the Spring River at or near the town of Black Rock, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 4977. An act granting the consent of Congress to the counties of Lawrence and Randolph, State of Arkansas, to construct, maintain, and operate a bridge across the Spring River at or near Imboden, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 5038. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Baton Rouge, La.; to the Committee on Interstate and Foreign Commerce.

S. 5039. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at Mount Carmel, Ill.; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 9. Joint resolution to establish a joint commission on insular reorganization; to the Committee on Rules.

## SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3779. An act to authorize the construction of a telephone line from Flagstaff to Kayenta on the Western Navajo Indian Reservation, Ariz.; and

S. 4616. An act to legalize the existing railroad bridge across the Ohio River at Steubenville, Ohio.

## BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 14813. An act to authorize an appropriation for completing the new cadet mess hall, United States Military Academy.

## ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p. m.) the House adjourned until to-morrow, Thursday, January 10, 1929, at 12 o'clock noon.

## COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, January 10, 1929, as reported to the floor leader by clerks of the several committees:

## COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Navy Department appropriation bill.  
Independent offices appropriation bill.  
District of Columbia appropriation bill.

## COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

Requesting the President to propose the calling of an international conference for the simplification of the calendar, or to accept on behalf of the United States an invitation to participate in such a conference (H. J. Res. 334).

## COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation.

## COMMITTEE ON WAYS AND MEANS

(10 a. m. and 2 p. m.)

Tariff hearings as follows:

## SCHEDULES

Earths, earthenware, and glassware, January 10, 11.  
Metals and manufactures of, January 14, 15, 16.  
Wood and manufactures of, January 17, 18.  
Sugar, molasses, and manufactures of, January 21, 22.  
Tobacco and manufactures of, January 23.  
Agricultural products and provisions, January 24, 25, 28.  
Spirits, wines, and other beverages, January 29.  
Cotton manufactures, January 30, 31, February 1.  
Flax, hemp, jute, and manufactures of, February 4, 5.  
Wool and manufactures of, February 6, 7, 8.  
Silk and silk goods, February 11, 12.  
Papers and books, February 13, 14.  
Sundries, February 15, 18, 19.  
Free list, February 20, 21, 22.  
Administrative and miscellaneous, February 25.

## COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

Continuing the powers and authority of the Federal Radio Commission under the radio act of 1927 (H. R. 15430).

## COMMITTEE ON THE JUDICIARY

(10 a. m.)

A bill to provide for a joint reunion of the surviving veterans of both sides of the war 1861-1865 in the city of Washington in the year 1929, to authorize the appropriation of sufficient money from the United States Treasury to pay the expenses of such joint reunion, and to provide for a commission to carry into effect the provisions of this act (H. R. 14461).

## COMMITTEE ON FLOOD CONTROL

(10 a. m.)

For improvement of navigation and the control of floods of Caloosahatchie River and Lake Okeechobee and its drainage area, Florida (H. R. 14939).

For the improvement of the Caloosahatchie River, Fla., for purposes of navigation and flood control (H. R. 15095).

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

733. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year 1930, for the War Department, for Chickamauga and Chattanooga National Military Park, \$5,500 (H. Doc. No. 503); to the Committee on Appropriations and ordered to be printed.

734. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year ending June 30, 1930, for the War Department, for completing the construction of the new cadet mess hall, cadet store, dormitories, and drawing academy at the United States Military Academy, \$297,540 (H. Doc. No. 504); to the Committee on Appropriations and ordered to be printed.

735. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the War Department for the fiscal year ending June 30, 1930, to remain available until expended, for the purchase of capital stock of the Inland Waterways Corporation created by the act of Congress approved June 3, 1924, as amended by the act approved May 29, 1928, \$10,000,000 (H. Doc. No. 505); to the Committee on Appropriations and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HOOPER: Committee on the Public Lands. H. R. 13899. A bill authorizing the Secretary of the Interior to issue patents for lands held under color of title; with amendment (Rept. No.



2047). Referred to the Committee of the Whole House on the state of the Union.

Mr. WURZBACH: Committee on Military Affairs. H. R. 12404. A bill authorizing erection of a memorial to Maj. Gen. Henry A. Greene at Fort Lewis, Wash.; with amendment (Rept. No. 2049). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 14466. A bill to provide for the sale of the old post-office property at Birmingham, Ala.; with amendment (Rept. No. 2050). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. J. Res. 171. Joint resolution granting the consent of Congress to the city of New York to enter upon certain United States property for the purpose of constructing a rapid transit railway; without amendment (Rept. No. 2051). Referred to the Committee of the Whole House on the state of the Union.

Mr. LAMPERT: Committee on the District of Columbia. H. R. 8746. A bill to regulate the height and exterior design and construction of public and private buildings in the National Capital fronting on or located within 200 feet of a public building or public park; with amendment (Rept. No. 2052). Referred to the House Calendar.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 13957. A bill to repeal certain provisions of law relating to the Federal building at Des Moines, Iowa; without amendment (Rept. No. 2053). Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HOFFMAN: Committee on Military Affairs. H. R. 14493. A bill for the relief of George Press; without amendment (Rept. No. 2048). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 1071. A bill for the relief of Clyde Calvin Rhodenbaugh; without amendment (Rept. No. 2054). Referred to the Committee of the Whole House.

Mr. BOYLAN: Committee on Military Affairs. H. R. 8575. A bill for the relief of Thomas Gaffney; without amendment (Rept. No. 2055). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 14576) granting a pension to Elizabeth Segall, and the same was referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ENGLEBRIGHT: A bill (H. R. 16078) authorizing appropriations for the construction and maintenance of improvements necessary for protection of the national forests from fire, and for other purposes; to the Committee on Agriculture.

By Mr. GREEN: A bill (H. R. 16079) to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in the State of Florida; to the Committee on Military Affairs.

By Mr. HOFFMAN: A bill (H. R. 16080) to authorize a uniform and equipment allowance for officers of the Army; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 16081) to provide additional hospital facilities for World War veterans at American Lake, Wash.; to the Committee on World War Veterans' Legislation.

By Mr. LEAVITT: A bill (H. R. 16082) to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 16083) to authorize the payment of interest on certain funds held in trust by the United States for Indian tribes; to the Committee on Indian Affairs.

By Mr. JOHNSON of Texas: A bill (H. R. 16084) authorizing appropriation of \$30,000 to reimburse Navarro County, Tex., for destruction of two bridges belonging to said county by Federal authorities; to the Committee on Claims.

By Mr. KURTZ: A bill (H. R. 16085) to transfer Blair County, Pa., from the western judicial district to the middle

judicial district of the State of Pennsylvania; to the Committee on the Judiciary.

By Mr. REID of Illinois: A bill (H. R. 16086) to amend the act approved May 15, 1928, entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes"; to the Committee on Flood Control.

By Mr. ROY G. FITZGERALD: A bill (H. R. 16087) to provide for the allowance of stationery and supplies to Members of Congress, and for other purposes; to the Committee on Accounts.

Also, a bill (H. R. 16088) to increase the salary of the Clerk of the House of Representatives; to the Committee on Accounts.

By Mr. LEAVITT: Joint resolution (H. J. Res. 374) to create a commission to investigate Indian affairs; to the Committee on Rules.

By Mr. WILSON of Louisiana: Joint resolution (H. J. Res. 375) interpreting sections 3 and 4 of Mississippi flood control act of 1928; to the Committee on Flood Control.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY: A bill (H. R. 16089) for the relief of Elizabeth Quinerly Cummings; to the Committee on Claims.

Also, a bill (H. R. 16090) for the relief of Hugh Dortch; to the Committee on Claims.

By Mr. ALDRICH: A bill (H. R. 16091) granting a pension to Ellen E. Phillips; to the Committee on Invalid Pensions.

By Mr. BARBOUR: A bill (H. R. 16092) for the relief of Bertell Q. Ford; to the Committee on Claims.

By Mr. BRAND of Ohio: A bill (H. R. 16093) granting an increase of pension to Mary E. Stubbs; to the Committee on Invalid Pensions.

By Mr. BUSHONG: A bill (H. R. 16094) granting a pension to Alice M. Clouser; to the Committee on Invalid Pensions.

By Mr. CLAGUE: A bill (H. R. 16095) granting a pension to Lizzie Olson; to the Committee on Invalid Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 16096) authorizing the President to appoint Edgar A. Gilbert to the position and rank of first lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. CULLEN: A bill (H. R. 16097) granting a pension to Elsie Bell; to the Committee on Pensions.

By Mr. ENGLAND: A bill (H. R. 16098) granting a pension to Ephriam (Malcom) Malcolm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16099) granting an increase of pension to Mary C. Kincaid; to the Committee on Invalid Pensions.

By Mr. GAMBRILL: A bill (H. R. 16100) granting an increase of pension to Matilda S. Brewer; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 16101) granting a pension to Hester A. Jones; to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 16102) to correct the naval record of James M. Hudson; to the Committee on Naval Affairs.

By Mr. HALL of Indiana: A bill (H. R. 16103) granting a pension to George A. Sence; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 16104) granting a pension to Mary Mills Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16105) granting an increase of pension to Nancy M. Oglesby; to the Committee on Pensions.

By Mr. HUDSPETH: A bill (H. R. 16106) for the relief of Paul C. Christian; to the Committee on the Judiciary.

Also, a bill (H. R. 16107) granting permission to First Lieut. Joseph M. Glasgow, Cavalry, United States Army, to accept the decoration and diploma of Chevalier of the French Legion of Honor, which decoration was conferred on him by decree of the President of the French Republic, dated September 4, 1928; to the Committee on Foreign Affairs.

By Mr. HUGHES: A bill (H. R. 16108) granting an increase of pension to Margret McMillen; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 16109) granting a pension to William J. Reisman; to the Committee on Invalid Pensions.

By Mr. KADING: A bill (H. R. 16110) granting a pension to John M. Chambers; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 16111) granting a pension to Jennie Hitchcock; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 16112) granting an increase of pension to Mary A. Toomey; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 16113) for the relief of Jennie Williams; to the Committee on Claims.

By Mr. MORROW: A bill (H. R. 16114) granting an increase of pension to William Felter; to the Committee on Pensions.

By Mr. PARKER: A bill (H. R. 16115) granting an increase of pension to Mary A. Hilton; to the Committee on Invalid Pensions.

By Mr. SCHAFER: A bill (H. R. 16116) granting a pension to Annie Duggan; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 16117) to authorize the payment of an indemnity to the owners of the British steamship *Kyleakin* for damages sustained as a result of a collision between that vessel and the U. S. S. *William O'Brien*; to the Committee on War Claims.

By Mr. TABER: A bill (H. R. 16118) granting a pension to Elida Irene Hodder; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 16119) granting an increase of pension to Almira Justice; to the Committee on Invalid Pensions.

By Mr. VINCENT of Iowa: A bill (H. R. 16120) for the relief of Mildred L. Williams; to the Committee on Claims.

By Mr. VINCENT of Michigan: A bill (H. R. 16121) granting a pension to Margaret S. Colf; to the Committee on Invalid Pensions.

By Mr. WAINWRIGHT: A bill (H. R. 16122) for the relief of E. Schaaf-Regelman; to the Committee on Claims.

By Mr. WASON: A bill (H. R. 16123) granting an increase of pension to Delta J. Dressler; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 16124) granting a pension to Beverly A. Foster; to the Committee on Pensions.

Also, a bill (H. R. 16125) granting a pension to Zereldia A. Robinson; to the Committee on Pensions.

By Mr. MORIN: Joint resolution (H. J. Res. 373) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Bey Mario Arosemena, a citizen of Panama; to the Committee on Military Affairs.

By Mr. W. T. FITZGERALD: Resolution (H. Res. 285) to pay to Norman E. Ives \$1,200 for extra and expert services to the Committee on Invalid Pensions; to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8194. By Mr. CHALMERS: Petition signed by citizens of Toledo, Ohio, protesting against discriminations practiced against certain nations and nationals of the Caucasian race and desiring and demanding the abatement thereof; to the Committee on Immigration and Naturalization.

8195. By Mr. O'CONNELL: Petition of Dixie Post, No. 64, Veterans of Foreign Wars of the United States, National Sanatorium, Tenn., favoring the passage of the Rathbone bill (H. R. 9138); to the Committee on Pensions.

8196. By Mr. PEAVEY: Petition from the Superior Trades and Labor Assembly at Superior, Wis., demanding that the same consideration be extended to radio station WCFL as is extended the other broadcasting stations, and that it also be granted the desired unrestricted wave length; to the Committee on Interstate and Foreign Commerce.

8197. Also, petition from the United Brotherhood of Carpenters and Joiners of America, Local Union No. 755, Superior, Wis., demanding that the Federal Radio Commission place WCFL, radio station of Farmer-Labor, to its former position, frequency, unlimited power, and time of operation without interference from other stations; to the Committee on Interstate and Foreign Commerce.

8198. By Mr. ROMJUE: Petition of Dixie Post, No. 64, Veterans of Foreign Wars of the United States, favoring the passage of House bill 9138; to the Committee on Pensions.

#### SENATE

THURSDAY, January 10, 1929

(Legislative day of Monday, January 7, 1929)

The Senate met in open executive session at 11 o'clock a. m., on the expiration of the recess.

#### ENROLLED BILLS SIGNED

The VICE PRESIDENT, as in legislative session, announced his signature to the following enrolled bills, which had been signed previously by the Speaker of the House of Representatives:

S. 3779. An act to authorize the construction of a telephone line from Flagstaff to Kayenta on the western Navajo Indian Reservation, Ariz.; and

S. 4616. An act to legalize the existing railroad bridge across the Ohio River at Steubenville, Ohio.

#### REPORT OF GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

As in legislative session,

The VICE PRESIDENT laid before the Senate a communication from Hamilton & Hamilton, attorneys, transmitting, pursuant to law, the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1928, which was referred to the Committee on the District of Columbia.

#### OFFICERS DELINQUENT IN RENDERING ACCOUNTS

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, submitting, pursuant to law, a report showing the officers of the Government who were delinquent in rendering or transmitting their accounts to the proper offices in Washington during the fiscal year ended June 30, 1928, the cause therefor, and whether the delinquency was waived, together with a list of such officers who upon final settlement of their accounts were found to be indebted to the Government and had failed to pay the same into the Treasury of the United States, which was referred to the Committee on Claims.

#### DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, lists of papers and documents on the files of the Treasury Department which are not needed in the transaction of public business and have no permanent value or historic interest, and asking for action looking toward their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. REED of Pennsylvania and Mr. SIMMONS as members of the committee on the part of the Senate.

#### MULTILATERAL PEACE TREATY

The Senate, in open executive session, resumed the consideration of the treaty for the renunciation of war transmitted to the Senate for ratification by the President of the United States, December 4, 1928, and reported from the Committee on Foreign Relations, December 19, 1928.

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	McLean	Sheppard
Barkley	Fletcher	McMaster	Simmons
Bayard	Frazier	McNary	Steiner
Bingham	George	Mayfield	Stephens
Black	Gerry	Metcalf	Swanson
Blaine	Glass	Moses	Thomas, Idaho
Bleas	Glenn	Neely	Thomas, Okla.
Borah	Greene	Norbeck	Trammell
Brookhart	Harris	Nye	Tydings
Broussard	Harrison	Oddie	Tyson
Bruce	Hawes	Overman	Vandenberg
Burton	Hayden	Phipps	Wagner
Capper	Heflin	Pittman	Walsh, Mass.
Caraway	Johnson	Ransdell	Warren
Copeland	Jones	Reed, Mo.	Waterman
Couzens	Kendrick	Reed, Pa.	Watson
Curtis	Keyes	Robinson, Ark.	Wheeler
Deneen	King	Robinson, Ind.	
Dill	La Follette	Sackett	
Edge	McKellar	Schall	

Mr. CURTIS. I was requested to announce that the Senator from West Virginia [Mr. GORE], the Senator from Nebraska [Mr. NORRIS], the Senator from Utah [Mr. SMOOT], and the Senator from Minnesota [Mr. SHIPSTEAD] are absent on official business.

Mr. DILL. I desire to announce that Senators FRAZIER, PINE, LA FOLLETTE, WHEELER, and THOMAS of Oklahoma, members of the subcommittee of the Committee on Indian Affairs, are in attendance upon a hearing of the subcommittee.

Mr. GERRY. I wish to announce that the senior Senator from South Carolina [Mr. SMITH] is necessarily detained from the Senate by reason of illness in his family.

The VICE PRESIDENT. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. BORAH. Mr. President, I am going to ask to have a formal reading of the treaty. It has not as yet been read, and we may, I think, have that done now.

The VICE PRESIDENT. The Secretary will read the treaty. The legislative clerk read the treaty, as follows: